EPTEMBER 19, 2005

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ROBERTS, WITHOUT ILLUSIONS
The Editors

SELLING OUT IRAQI WOMEN
Katha Pollitt

OUR CALIFORNIA EDITOR
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## THE ONE-EYED CHAIRMAN

HOW GREENSPAN HAS PUSHED THE RIGHT'S AGENDA
by WILLIAM GREIDER

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# LETTERS

R. O. BLECHMAN

## MINOR REBUKES ON NUKES

*Dummerston, Vt.*

■ Mark Hertsgaard's 1,480-word "Climate and the G-8" [July 18/25] was more useful than Elizabeth Kolbert's twenty times longer, 29,400-word *New Yorker* article on climate change. Could that have anything to do with two of *The New Yorker*'s biggest advertisers being ExxonMobil and General Motors, and one of *The Nation*'s being a maker of efficient home lighting?

One quibble: Hertsgaard makes nukes sound too good. He suggests they don't contribute to climate change. But mining nuclear fuel and transporting nuclear fuel and waste are contributors; he says the nuke industry leaves out the billions spent on plant construction from its "cheap power" claims. But he fails to mention the more significant costs the industry leaves out: storing and guarding waste for the next 250,000 years and taxpayer funding of liability insurance.

An accident or act of sabotage (easier to pull off than 9/11, says the Union of Concerned Scientists) at the Indian Point nuke, twenty miles from New York City, would kill millions and leave Manhattan uninhabitable for hundreds of years. No private insurance company will underwrite that risk. So who does plant owner Entergy rely on for insurance? Uncle Sam, of course. The minute Congress pulls the plug on the Price Anderson (nuke insurance) Act, every nuke in the nation will close. But these are minor complaints. *The Nation* should promote Hertsgaard to weekly columnist. EESHA WILLIAMS

## INDICTING OUR WAR CRIMINALS

*Brooklyn, NY*

■ In "Torture and Accountability" [July 18/25], Elizabeth Holtzman simultaneously makes and misses her point. She does well to remind us that the torture guidelines George W. Bush and Attorney General Gonzales seem to have approved are violations of the 1996 Federal War Crimes Act and that, accordingly, the US judicial system or another judicial body should exact punishment. However, she does not go far enough. The Geneva Conventions also forbid "launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects," and define such as a "grave breach." This would seem an easy enough set of criteria to satisfy. Moreover, the indictment would be able to be far more wide-reaching in its scope, given the array of Administration officials who doubtless authorized the war plan, particularly the assault on Falluja.

But even that misses the point. These laws will not be enforced, and their violators punished, until power structures realign to permit such enforcement. Holtzman reminds us that "it is never easy to hold powerful officials accountable for their misdeeds, but it is still important to try to do so"; how much more important, then, to hold them accountable for the atrocities they commit in our name! MAX AJL

*Eastsound, Wash.*

■ I am very appreciative of Elizabeth Holtzman's piece on the need to hold Administration officials accountable for war crimes. My one disagreement is that I would not have any confidence that a commission like the 9/11 commission would do an adequate job. I believe the 9/11 commission did a miserably incomplete job of finding out all the information the public needs to know. I invite Holtzman to join the movement to create a new and truly independent commission to continue the investigation into the events of that day. SHARON ABREU

*New York City*

■ As a former prosecutor who served under Elizabeth Holtzman more than twenty years ago, I was proud and happy to hear that more respected voices are willing to proclaim that the emperor is not wearing any clothes. Not everyone is as eloquent or knowledgeable as Holtzman, yet I daresay most of our politicians are aware, as is most everyone outside our country, of the abominations and crimes perpetrated by our government in the name of national security. As a New Yorker, I am quite concerned about WMD. Nevertheless, I am more troubled about the direction of our country. Let right-minded citizens, in blue and red states, express our outrage and join others sharing humane and moral positions. DAVID KAREL

*Sterling, Mass.*

■ An Arab acquaintance told me as we shared a taxi between Jordan and Jerusalem that Saddam Hussein ordered some horrible things to be done in Abu Ghraib: beating, sleep deprivation, even murder. But, he added, nothing like this sexual abuse and humiliation ever happened there until the United States took over. "The Arabs used to love the Americans and their ways," he stated. "Now we are disgusted by them." George W. Bush must be held accountable. Whether he specifically ordered or endorsed brutal and inhuman treatment of detainees, he is responsible for setting the tone of dehumanization of Arabs and Muslims. He is the cowboy President who vowed to "smoke them out," the Commander in Chief against the "axis of evil," the architect of the "war on terror," the man in charge. The buck stops there. DONNA JOSS

## MINDING 'THE ARAB MIND'

*Amherst, Mass.; Tucson, Ariz.*

■ Amitav Ghosh, in "The Theater of Cruelty: Reflections on the Anniversary of Abu Ghraib" [July 18/25], refers to the "notorious" book *The Arab Mind*, by the late Raphael Patai, who "wrote at length about Arab conceptions of sexuality, honor and masculinity." As Patai's daughters, we find "notorious" only the fact that Ghosh would casually repeat a slanderous pseudo-connection between *The Arab Mind* and the torture at Abu Ghraib. This originated with an anonymous source claiming, according to Seymour Hersh, that the book was "the bible of the neocons on Arab behavior." We would certainly hope that neocons, the left, the military, the press and others actually turn to scholarship in attempting to formulate their views of cultures other than their own.

In Patai's case, he began studying Arabic as a young man and devoted many of his books to Arab culture. It seems quite a stretch to blame his work for the tactics of humiliation and torture of Arab prisoners at Abu Ghraib. Responsible journalists would presumably actually look into this supposed connection and seek to ascertain if and/or how the book influenced soldiers or officers. They might also seek to interview US soldiers in the Middle East to learn whether the book has helped them in their positive interactions with Arabs. But, instead of any such inquiry, we get tedious repetitions of the initial slur, with its simple-minded equation of having some understanding of a foreign culture and knowing how to torment members of that culture. Or might it be that Patai's work is suspect because he is a Jew, a European? What, then, do you suppose Muslims would say about Jewish or Western scholars who ignored Islam? We somehow doubt that this would be a more acceptable attitude.

Furthermore, did it really take Patai's book to "teach" the US military that Arabs have a strong sense of honor, and hence a desire to avoid humiliation? Has no one noticed that Saddam's horrific brutalization of his own countrymen and others evidently did not in any way depend upon non-Arab scholarship? And are we suddenly to believe that there exist traditional cultures in which sexuality is not a potential cause of shame? The sad fact is that there are far more important lessons to be learned from Raphael Patai's extensive work on the Middle East. What strikes many readers as of particular significance today is the attempt made in *The Arab Mind* to understand the importance and intensity of antimodernization and anti-Western attitudes

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PRINTED AUGUST 31 VOLUME 281, NUMBER 8

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# EDITORIALS

## *Roberts, Without Illusions*

As the opening gavel sounds in Judge John Roberts's confirmation hearing, what have we learned about George W. Bush's first pick for the Supreme Court? History counsels caution in predicting the performance of Supreme Court nominees. This magazine opposed David Souter based on his scant but alarming record as New Hampshire Attorney General, but he is today one of the Court's most reliable civil libertarians. JFK's nominee Byron White turned out to be a premature social conservative.

Yet most Justices remain consistent with the broad outlines of their public biography, and Roberts, unlike Souter, is no stealth nominee. Reams of documents testify to his long-held views and activities. So what do we know about Roberts and about what his confirmation might mean for this magazine's enduring concerns with civil rights, civil liberties and social justice?

For one thing, based on his Senate questionnaire, we now know that the judge is at the center of an ethics scandal. Attorney General Gonzales, Karl Rove, Dick Cheney and other top officials interviewed him for the nomination in May, the very period he was hearing the Administration's appeal in the crucial Ahmed Hamdan case, a sweeping challenge to the extraordinary military commissions at Guantánamo. Indeed, Roberts was first interviewed by Gonzales on April 1, before Hamdan's appeal was heard. These secret meetings should sound an alarm across the partisan divide. Roberts and two other judges ruled in favor of the commissions just four days before the White House announced Roberts's Supreme Court nomination. Hamdan's lawyers knew nothing about Roberts's secret job interviews. As legal ethicists Stephen Gillers, David Luban and Steven Lubet pointed out in *Slate*, these interviews "violated federal law on the disqualification of judges," specifically the statutory principle that judges should step aside if their "impartiality might reasonably be questioned." The huge stakes for Roberts, and the equally massive stakes for the Administration in its challenge to the Geneva Conventions and other impediments to the military commissions, raise Roberts's role in the Hamdan case beyond mere *appearance* of conflict to the real thing. Does anyone really think that on July 19 Bush would have introduced Roberts as his nominee if four days earlier he had voted the other way? Roberts should have recused himself from the case. He could at least have notified Hamdan's lawyers of his conflict of interest. The fact that Judge Roberts—a wired-for-life GOP activist who advised the party in *Bush v. Gore*—didn't do either means that his impartiality fails the smell test.

Even without the Hamdan mess, Roberts has danced uncomfortably with the proper role of judges. In July he was asked by Senator Dick Durbin how he'd handle cases that conflict with his private religious views—potentially a matter of great import in cases ranging from abortion to stem-cell research. Roberts said he would recuse himself, an answer that should shock any Republican or Democrat who believes Justices take an oath to defend the Constitution, not cherry-pick cases based on their religious comfort zone.

What else have we learned? We now know that as a rising young star in the Reagan White House Roberts promoted the still-contentious doctrine that Congress could strip federal courts of their enforcement power in civil rights and abortion cases, a principle getting new life today as a tool against gay unions; that he helped launch the Republican crusade to remake federalism to undermine the rights of criminal defendants and the enforcement of environmental laws; and particularly that Roberts grotesquely caricatured women seeking pay equity in the workplace and greater representation at the bar.

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EDITORIAL


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The Nation (ISSN 0027-8378) is published weekly (except for the second week in January, and biweekly the third week of July through the second week of September) by The Nation Company, L.P. © 2005 in the U.S.A. by The Nation Company, L.P., 33 Irving Place, New York, NY 10003. (212) 209-5400. Washington Bureau: Suite 308, 110 Maryland Avenue N.E., Washington, DC 20002. (202) 546-2239. Periodicals postage paid at New York, NY, and at additional mailing offices. Subscription orders, changes of address and all subscription inquiries: The Nation, PO Box 55149, Boulder, CO 80322-5149, or call 1-800-333-8536. Publications Mail Agreement No: 40041477. Return undeliverable Canadian addresses to Circulation Dept. or DPGM, 4960-2 Walker Road, Windsor, ON N9A 6J3. **When ordering a subscription, please allow 4-6 weeks for receipt of your first issue and for all subscription transactions.** Back issues $4 prepaid ($6 foreign) from: The Nation, 33 Irving Place, New York, NY 10003. The Nation is available on microfilm from: University Microfilms, 300 North Zeeb Road, Ann Arbor, MI 48106. Member, Audit Bureau of Circulations. POSTMASTER: Send address changes to The Nation, PO Box 55149, Boulder, CO 80322-5149. Printed in U.S.A. on recycled paper.

**INTERNET: Selections from the current issue become available Thursday night at www.thenation.com.**


What we don't know—and what senators urgently need to find out before the nomination comes to a vote—is how his legal commitments at twentysomething played out a decade later when he served as Ken Starr's principal deputy in the Solicitor General's office during the George H.W. Bush Administration. As the Alliance for Justice has noted, the Justice Department itself describes Roberts as the primary decision-maker in hundreds of cases, and he was detailed specifically to handle the most politically sensitive matters. The Democrats' demand for release of Roberts's Solicitor General papers has ample precedent in the confirmation of William Rehnquist as Chief Justice, when Congress sought and received similar documents. The Roberts confirmation should not advance an inch until his role in the formulation of Bush I policies on abortion rights, voting-rights enforcement and the overall strategy to advance radical federalism is made clear.

Roberts, for all his geniality, shows no sign of being a closet pragmatist looking to escape his most extreme utterances. With remarkable consistency he has established a twenty-five-year track record as foot soldier in a legal revolution profoundly destructive to the public interest. Indeed, his views are among the most extreme to emanate from a cohort of partisan Republican activists intent on reversing decades of settled policy on civil rights, voting rights, women's rights, privacy rights and access to justice. It would be a mistake for civil libertarians to give Roberts a pass based on *Roe*, affirmative action or any other issue on which he claims fealty to precedent. What is disturbing about John Roberts is the complete picture. The coming weeks may reveal new information about this nominee, but headed into the confirmation hearings, Roberts has done nothing to dispel the impression that he is a dangerous and partisan Republican ideologue who has no place on the Court.

COMMENT

# *Spying on the Protesters*

In the 1970s Senate and House investigations established what many antiwar protesters and campus activists had believed for several years: that they were being watched and sometimes targeted by the government, including the National Guard and the FBI. Scattered evidence accumulating around the country suggests that the domestic surveillance that occurred during the Vietnam War may be returning, involving a more coordinated federal effort through the National Guard as well as the Joint Terrorism Task Forces (JTTFs), teams of state and local police, and federal agents, led by the FBI.

So far there are few high-profile incidents and actions that can't be written off as excessive zeal by individuals, but the incidents look disturbingly familiar to people who investigated the earlier clandestine actions of the government. "Back in the late 1960s and early '70s the FBI, the military, local police and campus police had their own bailiwicks and limited powers," said Christopher Pyle, a former investigator for Senator Frank Church's Select Committee on Intelligence, in the 1970s, and currently a professor of politics at Mount Holyoke College. "But operating today

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through the JTTFs and the combined intelligence and fusion centers, which join military analysts with law enforcement specialists, they are all part of one big club, effectively destroying the Fourth Amendment against unlimited search and seizure."

Several months ago the Army's inspector general and the California State Senate launched investigations of a California National Guard intelligence unit that had "monitored" an antiwar demonstration at the state capitol this past Mother's Day, partly organized by Cindy Sheehan's Gold Star Families for Peace. A report not yet publicly released by the inspector general found that there were other cases of domestic intelligence activity by the California Guard. Democratic State Senator Joseph Dunn, whose budget subcommittee oversees funding for the California Guard and who is conducting the state investigation, said financial improprieties may have occurred, as state and federal laws forbid such activities. Dunn told *The Nation* that he is looking into reports that the Guard in some ten other states, including New York, Colorado, Arizona and Pennsylvania, may have set up its own intelligence units and conducted similar monitoring of antiwar groups. Such controversial directives could be coming from the Pentagon, he speculated.

Surveillance of antiwar protesters by the National Guard bumps up against the Posse Comitatus Act, which prohibits the military from taking part in domestic law enforcement. But this may change. Several weeks ago the *Washington Post* reported on the Pentagon's classified plans for guarding against and responding to a domestic terrorist attack, describing the changes as a "big shift for the military." Adm. Timothy Keating, head of the Northern Command, which coordinates military involvement in homeland security operations, discussed ways the National Guard might be used and, according to the *Post*, "left the door open to seeking an amendment of the Posse Comitatus Act."

Troubled by an increase in domestic spying, the ACLU filed a lawsuit in May against the FBI to force the release of files on numerous activists and groups in about ten states, charging that "the FBI and local police are engaging in intimidation based on political association and are improperly investigating law-abiding human rights and advocacy groups." The ACLU's request, which also asks for information about the practices and funding of the JTTFs (currently there are about 110), is a Who's Who of national and local advocates for well-known causes, including antiwar, environmental, labor, fair trade and human rights causes.

The few documents received to date shed light on the FBI's misuse of the JTTFs to engage in political surveillance. For example, FBI documents obtained by the Colorado ACLU reveal that in July 2004, FBI agents and members of the Denver Police Department, dressed in SWAT gear, questioned 21-year-old Sarah Bardwell, an American Friends Service Committee intern who was also active in Food Not Bombs, at her home "to conduct pretext interviews to gain general information." These documents, said Mark Silverstein, Colorado ACLU legal director, "confirm that the FBI was more interested in intimidation than in trying to gather information." In another example a student and two former students at Truman State University in Kirksville, Missouri, who were planning to go to the Democratic convention last summer, were questioned by the FBI and subpoenaed by a grand jury. Although never charged with any crime, they were under twenty-four-hour FBI surveillance for almost a week afterward. "The subpoenas and surveillance were not to get information but to harass and intimidate them," said Denise Lieberman, former ACLU legal director in eastern Missouri. "It worked. It was very frightening."

This past November, several days after George W. Bush's election, an FBI agent and plainclothes officers from the Raleigh, North Carolina, police department came to the residence of Brad Goodnight, a 21-year-old student majoring in computer science and psychology at North Carolina State University. He went with them to police headquarters, where he was asked about specific friends, about his role in Campus Greens, Food Not Bombs and other organizations, and whether he recognized photos of people in the audience at a local punk rock concert. His interrogation was apparently related to an earlier protest rally near Republican headquarters, where vandalism had occurred and three people were arrested. Goodnight said he was told, "We have paid informers and treat them well." He was warned that if he didn't agree

## MESSING WITH MOTHER NATURE

Like all Americans, I was horrified watching pictures of the destruction wrought by the hurricane. And like others who share the name Katrina, I found it eerie hearing and reading my name all over the news. But when Fox started calling the storm Killer Katrina, I prayed some right-wing idiot wouldn't stoop so low as to link me to this human suffering. But wouldn't you know, the biggest dittohead on the block, Rush Limbaugh, is calling the storm Hurricane Katrina vanden Heuvel. *National Review*'s Jonah Goldberg, who has never seen a bad-joke bandwagon he could resist jumping on with both feet, blogged, "It would be pretty cool if Fox played to caricature and repeatedly referred to the hurricane as Katrina vanden Heuvel." He went on to imagine the lines, "The destruction from Katrina vanden Heuvel is expected to be massive. The poor and disabled are particularly likely to suffer from the effects of Katrina vanden Heuvel."

This is how they show respect for those who are suffering and dying—with lame quips? At least Limbaugh has the excuse that drug abuse tends to stunt emotional development. What Goldberg's problem is nobody has yet discovered. Natural disasters should be above infantile politics. (George W. Bush's decision to send his father and Bill Clinton to organize aid for the tsunami was one of his few international PR successes since 9/11.) It's so easy to take cheap shots. (Did you hear the one about OxyContin's new tag line? "What a Rush!") We should be asking serious questions about why the Iraq War has led the White House to divert funds from an urgent project to upgrade levees and pumping stations in Louisiana, and why there aren't enough National Guard troops on hand in what is one of the worst natural disasters in US history. It is not a time for personal attacks. Let's empathize with those who are suffering and think about how we can help them. KATRINA VANDEN HEUVEL

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COMMENT

to cooperate he would face continued scrutiny. He refused. He had not committed any crime, was not charged with any offense and was soon released. Besides interrogating Goodnight, the FBI knocked on dorm-room doors, and campus police increased their presence at peace vigils, all of which "definitely had a chilling effect," said Elena Everett, a recent NCSU graduate and chair of the North Carolina Green Party. "People, especially international students, didn't feel comfortable speaking out anymore."

"Just about every university in the country" has some connection to the JTTFs, according to an FBI spokesman in Texas. At one end of the spectrum is Brown University, which receives advisories only in a "one-way relationship." At the other end are some dozen campuses where at least one university police officer is assigned on a full-time basis to the FBI, according to Christopher Blake, associate director of the International Association of Campus Law Enforcement Administrators. The number may be much higher than a dozen, given that a survey of universities conducted by *The Nation* found that at about a third of some fifteen schools picked at random, an officer is assigned to work for the FBI. The officer's salary is paid by the university, and the FBI pays for overtime and expenses. Neither Blake nor FBI headquarters would name specific schools, but universities admitting such arrangements to *The Nation* include the University of Illinois, Champaign/Urbana; the University of Texas, Austin; the University of Massachusetts, Amherst; and the University of Florida, Gainesville. Michigan State has three detectives assigned on a part-time basis. Rutgers refused to say whether it has campus cops serving as full-time FBI agents. Yale has a campus policeman who is assigned to the FBI—one of the few private universities with such an arrangement—but a Yale spokesperson refused to comment on the officer's duties.

Understandably, the FBI is secretive about the activities of its campus agents. "I had no idea what the officer was doing," admitted John Dauer, chief of the University of Toledo's police force, which, because of personnel needs, ended the FBI's involvement last year. At the UMass in Amherst the campus detective "does everything an FBI agent on the JTTF would do, including working on non-university-related cases," said an FBI official. In one case there involving the Internet that was unrelated to terrorism, the campus detective acted as a liaison with a California FBI office. At the University of Texas, "the FBI gives the campus police officer assignments that are mostly related to university activity," said Terry McMahan, interim chief of police. An FBI spokesperson in Texas said, "There is a constant flow of information between the FBI and the University of Texas police, and if a research facility were damaged by a Middle East individual, the campus police/FBI officer would be in the best position to investigate."

Having campus police serve as FBI agents abrogates the universities' longstanding privilege to police themselves and sets a dangerous precedent. A spokesperson from FBI headquarters said, "The purpose of having law enforcement agencies on college campuses is because of infrastructure and research facilities associated with the colleges."

Besides the National Guard and FBI activities against opponents of the war, a different kind of federal response happened to the family of Marine Cpl. Jorge Gonzalez, who died in Iraq in 2003. After his mother, Rosa Gonzalez, protested against the war, a man she considers her brother, a nearly twenty-year US resident who owned property here, was deported to Mexico. "I think there is a connection," she said. "I don't protest anymore. I'm scared."

"Back in the late 1960s and early '70s there were institutional checks and balances on the scope of investigations," said Pyle, the former investigator. "Now with the JTTFs' and military's swapping and fusion centers, a vast amount of undigested information is produced that is freely circulated." He adds, "If the old pattern follows, intelligence work will turn into covert operations that will involve all agencies."

"Unfortunately, there is little doubt that the Bush Administration has misappropriated the awesome power of the Justice Department to monitor and quash lawful critics of the war in Iraq," said Congressman John Conyers Jr., ranking Democrat on the House Judiciary Committee. He adds, "With the near total lack of Congressional Republican oversight of this Administration's conduct after September 11, we must turn to the courts. I support the ACLU's lawsuit."

The protection of American citizens from unwarranted surveillance and spying now squarely rests with independent groups like the ACLU, the Bill of Rights Defense Committee and the Center for Constitutional Rights. JOHN S. FRIEDMAN

*John S. Friedman is editor of the forthcoming* The Secret Histories: Hidden Truths That Challenged the Past and Changed the World. *Research support was provided by the Investigative Fund of The Nation Institute.*

CALVIN TRILLIN

## A Robertson Republican

*(A reprise of the Gilbert and Sullivan solo by George W. Bush, first heard during the 2000 primary campaign)*

Pat Robertson would off Chávez; he says it's quick
and saves us dough.
Commandments say "Thou shalt not kill," but
Pat thinks that's not always so.
I owe him much: He smeared McCain when my
campaign was almost toast.
The wacko crowd that follows him we call our
base; I need them most.
So criticizing Pat by me is something that will
not be done.
I am, when all is said and done, a Robertson
Republican.

*CHORUS*
He is, when all is said and done, a Robertson
Republican.

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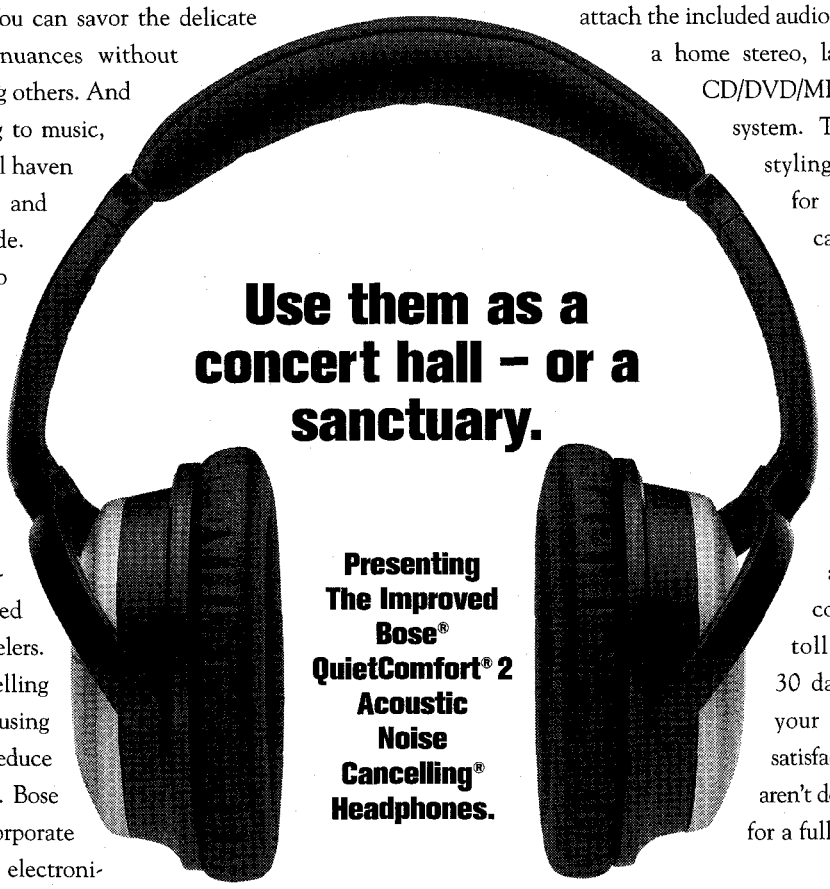

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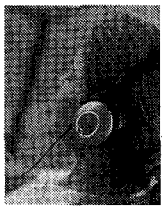

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JONATHAN SCHELL

# Honor Their Sacrifice

I suspect that for many who oppose the war in Iraq, as I do, each week's news of fresh American casualties prompts a troubling, unvoiced internal dialogue. They feel grief that these lives—many so young—have been violently cut off. But then a thought follows—one well-founded in observation of American politics—that more casualties spell less public support for the war, which therefore may end sooner. At this point a kind of moral seasickness sets in. Have they somehow permitted themselves to let these deaths secretly feed their political hopes—in a sense to rely on them—if only in the secrecy of their own thoughts?

The answer is a resounding no, but the reasons are somewhat complicated. To begin with, American casualties in Iraq don't have the military significance they might have had if the war were a conventional one. They do not portend conventional military defeat—the American Army fleeing in disorder and panic while bands of insurgents chase after them. (There will be no rerun in reverse of the taking of Baghdad in the spring of 2003.) On the other hand neither are American troops likely to win in a conventional sense. As Tom Lasseter has reported for Knight Ridder news service, the Marines have arrived at a stalemate with Sunni guerrillas in Anbar province, west of Baghdad. He writes, "The sun raises temperatures to 115 degrees most days, insurgents stage ambushes daily then melt into the civilian population and American troops in Anbar find themselves in a house of mirrors in which they don't speak the language and can't tell friend from foe." There's no reason to think that this state of affairs will improve soon, or ever.

It may even be that taken as a whole the fighting between the US military and the insurgents is of secondary importance to the future of Iraq. Probably more important will be the shifting political loyalties of the great majority of Iraqis—Sunni, Shiite, Kurd or other—who are not engaged in any insurgency. Their will, or clash of wills, is likely to be decisive. For example, the rise to power of sectarian militias throughout the country, now de facto rulers of their localities, reported recently by Anthony Shadid of the *Washington Post*, is surely more important to the eventual outcome than the number of Americans or Iraqis killed in Anbar.

Certainly, the country's balkanization is more important than the constitutional negotiations, which have now run off the rails and in any case were always more effective as an exercise in managing perceptions in the United States than in building a political order in Iraq. After all, even according to the Bush Administration, "winning" in Iraq must be defined in political terms, as the creation of some kind of Iraqi state that meets American approval. "As Iraqis stand up, we will stand down," Bush has said. The question, though, is, Stand up for what? An Islamic democracy backed by Iran? A new dictatorship? Three new countries?

It is not in Iraq but in the United States that the American casualties have assumed decisive importance. The US involvement in Iraq—although probably not, unfortunately, the war among Iraqis—will end when the American public awakens to the futility of the whole grotesque venture and demands that the troops come home. And it is in this context that the American casualties assume decisive importance.

It is a disgraceful but undeniable fact that the far more numerous Iraqi casualties do not have much political importance in the United States. Consider how Iraqis, dying by the dozens day after day in terrorist attacks (and especially after the horrifying loss of more than 700 Shiites who stampeded in fear of a rumored suicide bomb), must feel when they hear Donald Rumsfeld say that American troops are "engaging the terrorists where they live, so we don't have to engage them where Americans live."

Herein lies the tragedy. The argument-by-casualties, in which X number of deaths costs Bush Y number of approval points in public opinion polls, takes place because the argument-by-words has been missing. A majority of the American public now looks on the war as a mistake, but most of the leaders of the so-called opposition party have failed to articulate an antiwar position. In the resulting silence, only the deaths are speaking. The loss of soldiers' and civilians' lives is the price of the politicians' gutlessness.

This default, including the weakness of the antiwar movement once the war had been launched, is the true and proper source of moral disquiet felt by opponents of the war such as myself in the face of casualties. Yet it is not by antiwar activities but rather by inaction, or failure to act effectively, that those of us in the antiwar movement have entered into a seeming complicity with the killers. They have stepped into the vacuum left by us. The solution of course is not to draw back from opposition to the war but to step it up. Let words and peaceful actions speak instead of guns and corpses.

The argument-by-casualties is distilled in the long-range debate under way between Bush and Cindy Sheehan, the now world-famous mother who lost her son Casey in the war, and recently has been calling on Bush to meet with her and give an explanation for Casey's death. Bush says of the Americans killed, "We will honor their sacrifice by completing the mission." In other words, the casualties are to be redeemed by more casualties, leading to victory.

Sheehan throws these words back in the President's face. She says, "You want to kill more kids just because you killed so many already." What she has demanded by asking for a meeting with Bush is an explanation of the "mission" in which her son and others have died and still others are now dying. She asks for the honest debate that has so shamefully been lacking (more lacking, let it be said, on the Democratic side than on the Republican, and a visit by Sheehan to waffling Democrats would be highly appropriate). She says to her supporters, "I'm here because of Casey. We're all here because of Casey." She calls the dead to bring the living to life. She says, "I see him in all your eyes. And Casey will never die."

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*Jonathan Schell is The Nation Institute's Harold Willens Peace Fellow.*

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ALEXANDER COCKBURN

# Bush's War: The Levees Are Giving Way

"The case for overthrowing Saddam was unimpeachable. Why, then, is the administration tongue-tied?" Thus the Murdoch-owned September 5/12 *Weekly Standard*. If the *Standard*'s editors can't figure out the answer, let me help them. The Bush Administration is tongue-tied because it doesn't know what lie to put out next. *The Weekly Standard* whistles up its Condé Nast scrivener, Christopher Hitchens, to try to make the arguments the White House can't come up with. He offers us ten points in favor of the war. Let me deal with them one by one.

"(1) The overthrow of Talibanism and Baathism, and the exposure of many highly suggestive links between the two elements of this Hitler-Stalin pact. Abu Musab al Zarqawi, who moved from Afghanistan to Iraq before the coalition intervention, has even gone to the trouble of naming his organization al Qaeda in Mesopotamia."

Few theories have been so generally discredited over the past two years as the supposed connection between the Taliban and the Baath Party in Iraq before the war in 2003. One of the supposed links—publicized by Jeffrey Goldberg in *The New Yorker*—was an Iranian Kurdish drug smuggler held in prison in Iraqi Kurdistan who claimed to have met bin Laden in Kandahar, in Afghanistan, and senior Baathists in Iraq. Before the war began, the smuggler had long been exposed as a liar. On Zarqawi Hitchens is all over the map. For example, Zarqawi was famously at odds with bin Laden in Afghanistan.

"(2) The subsequent capitulation of Qaddafi's Libya in point of weapons of mass destruction—a capitulation that was offered not to Kofi Annan or the E.U. but to Blair and Bush."

Long before the invasion of Iraq, Qaddafi was eager for rapprochement with the United States. Blair had already reopened relations with Libya. The scenario of a cowed Qaddafi suddenly abandoning secret plans to construct a nuclear arsenal is far less persuasive than the likelihood he'd never been serious about building WMDs and took whatever shipments from Pakistan were in the warehouse and surfaced them as an extra stimulant for the rapprochement he's wanted for a long time.

"(3) The consequent unmasking of the A.Q. Khan network for the illicit transfer of nuclear technology to Libya, Iran, and North Korea."

The A.Q. Khan network unmasked? This was so generally known that to put it in his list Hitchens is truly scraping the bottom of the barrel.

"(4) The agreement by the United Nations that its own reform is necessary and overdue, and the unmasking of a quasi-criminal network within its elite."

It would be far more impressive if the war led to the reform of the United States. Far more money has disappeared since the war than ever went missing before. At least $5 billion is missing from the Paul Bremer era alone.

"(5) The craven admission by President Chirac and Chancellor Schröder, when confronted with irrefutable evidence of cheating and concealment, respecting solemn treaties, on the part of Iran, that not even this will alter their commitment to neutralism. (One had already suspected as much in the Iraqi case.)"

But most of the "cheating and concealment" alleged against Iraq turned out to be untrue, so why does the fact that Schröder and Chirac said so at the time (unlike Bush), and got this right, make their similar doubts about escalating the conflict with Iran so suspect for Hitchens? Anyway, the treaty under discussion is the Non-Proliferation Treaty, which permits development of an enrichment program. Iran has not violated the treaty.

"(6) The ability to certify Iraq as actually disarmed, rather than accept the word of a psychopathic autocrat."

The UN inspectors had shown that Iraq had no usable WMDs posing a threat to anybody. There was no need to listen to the lies of a psychopathic autocrat. The reports of Hans Blix and Mohammed ElBaradei sufficed.

"(7) The immense gains made by the largest stateless minority in the region—the Kurds—and the spread of this example to other states."

The Kurds did benefit, though no thanks to Bush. In the weeks before the war the United States invited 40,000 Turkish troops into northern Iraq, to the horror of the Iraqi Kurds. Only when the Turkish Parliament rejected the presence of a US Army in Turkey invading Iraq from the north was the United States forced to ally itself with the Kurds.

"(8) The related encouragement of democratic and civil society movements in Egypt, Syria, and most notably Lebanon, which has regained a version of its autonomy."

This offers a truly amazing faith in the democratic process now under way in Egypt and elsewhere.

"(9) The violent and ignominious death of thousands of bin Ladenist infiltrators into Iraq and Afghanistan, and the real prospect of greatly enlarging this number."

This is a peculiarly silly remark. Of course, there weren't thousands of bin Laden militants before 2003. For video promos for Al Qaeda, bin Laden had to hire local tribesmen to take part in military exercises. If the implication is that all the trouble in Iraq is now caused by foreign infiltrators, then Hitchens is maintaining a position even the US Army in Baghdad has abandoned.

"(10) The training and hardening of many thousands of American servicemen and women in a battle against the forces of nihilism and absolutism, which training and hardening will surely be of great use in future combat."

Ludicrous. What is meant by "hardening"? Getting young men and women used to killing or being killed, expert in torture? In reality, of course, what has happened in Iraq is likely to give the US Army and civilians a lasting distaste for such ventures. And a significant percentage of the "hardened" troops coming home will exact their protracted toll, in the usual currency of alcoholism, drug abuse and domestic violence. ■

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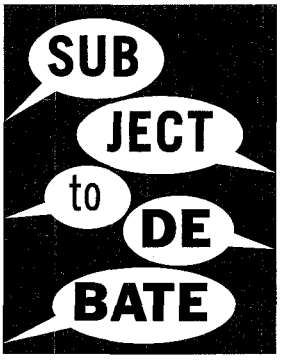
KATHA POLLITT

# Theocracy Lite




So now we know what "noble cause" Cindy Sheehan's son died for in Iraq: Sharia. It's a good thing W stands for women, or I'd be worried. The new Constitution, drafted under heavy pressure from the Administration, sets aside the secular personal law under which Iraqis have lived for nearly half a century in favor of theocracy lite. "Islam is the official religion of the state and is a basic source of legislation," Article 2 begins—the spin is that this language is a victory because Islam is not *the* source. "(a) No law can be passed that contradicts the undisputed rules of Islam." On the other hand, "(b) No law can be passed that contradicts the principles of democracy" and "(c) No law can be passed that contradicts the rights and basic freedoms outlined in this constitution"—as in, for example, Article 14: "Iraqis are equal before the law without discrimination because of sex," religion, ethnicity and so on.

There's enough right here to keep a conclave of political theorists busy for years. Equal before which law? How can women be equal before Islamic law, according to which they are unequal? How can a non-Muslim be equal in a Muslim state? Who decides which Islamic rules are undisputed and which are, well, disputable? As with our own multiple versions of Christianity, doesn't that depend on which imam is holding the Koran? And what happens when (a) (Islam) conflicts with (b) (democracy) or either (a) or (b)—or both—conflict with (c) (human rights)? Don't laugh, it could happen. Fortunately, the Constitution has come up with just the thing to settle those knotty questions—a Supreme Federal Court "made up of a number of judges and experts in Sharia (Islamic Law) and law." As prowar pundits are quick to remind us, it's a lot like our own Constitution—except for the official religion part, and that's not for lack of effort by Justice Scalia.

Bush has professed himself delighted with the document. "This Constitution is one that honors women's rights and freedom of religion," he announced in Arizona, where he was taking a vacation from his vacation. The freedom-of-religion bit alludes to a slightly bewildering provision that seems to hold out the possibility of separate courts for each religion. Ayatollah Ahmad Jannati, the head of Iran's ultra-Shiite Guardian Council, isn't too worried by this ecumenical gesture: "Fortunately, after years of effort and expectations in Iraq, an Islamic state has come to power and the Constitution has been established on the basis of Islamic precepts."

We don't yet know what any of this means concretely, but if Iraq turns out to resemble Iran—and boosting Iran's regional influence was another thing Casey Sheehan died for—women have a lot to look forward to: being married off at the age of 9, being a co-wife, having unequal rights to divorce and child custody, inheriting half as much as their brothers, having their testimony in court counted as half that of men, winning a rape conviction only if the crime was witnessed by four male Muslims, being imprisoned and flogged for premarital sex, being executed for adultery, needing mandatory permission from husband or father to work, study or travel. Bush supporters who find any of this disturbing—hello? Independent Women's Forum?—can console themselves with the thought that, as former CIA official Reuel Marc Gerecht said on *Meet the Press*, "women's social rights are not critical to the evolution of democracy." Another plus: Ayatollah al-Sistani is antichoice. According to his website, sistani.org, even a rape victim can have an abortion only if her relatives would murder her for getting pregnant. So Iraqi fetuses are all set.

Is this what all those purple fingers were about? They looked like a nation demanding democracy from reluctant occupiers but really they were making an ethnic and religious power grab? In 2004 Iraqi women's groups, quietly backed by then–US occupation chief Paul Bremer, forced the Governing Council to rescind Resolution 137, which would have replaced secular family law with Sharia. That was reassuring to those who wanted to believe that the US government was on some sort of Wilsonian human-rights mission. This time around we're supposed to take comfort in the promise of secular courts for those who prefer them, in the banning of honor killings and in the Constitution's transitional 25 percent set-aside for women in Parliament, even as Sunni and Shiite theocratic gangs assault and murder unveiled educated and professional women who venture out alone.

"We have lost all the gains we made over the last thirty years," said Safia Taleb al-Souhail, last seen sitting in the balcony with Laura at the State of the Union address, smiling and waving her purple finger. "It's a big disappointment." Even blunter words come from Dr. Raja Kuzai, an obstetrician and secular Shiite who served in the assembly's Constitution-writing committee and, as the President tells it, greeted him as "My Liberator" when she visited the Oval Office in 2003: "I think it is over now," she writes in the *San Antonio Express-News*. "I want the American people to know that our dreams are gone, our work was in vain. There will be no future for our children and our grandchildren in the new Iraq. The future is for the clerics. They will lead the country.... This is not the democracy we dreamed of. This is the dictatorship of the majority!" Dr. Kuzai has announced that she is leaving Iraq.

It always seemed a little strange to me that Bush was carrying the standard of secularism and pluralism and women's rights in the Muslim world when he is so keen against all three here at home. In the liberal hawks' fantasy war, Bush was the love child of Mary Wollstonecraft and Voltaire, striding forth to battle the combined forces of Osama bin Laden and Jacques Derrida. Sometimes I thought that to Bush, as an evangelical Christian, even the Enlightenment was better than Islam, the rival faith. But given the way things are turning out, it's clear that Bush's world is big enough for two kinds of religious mania: America gets creationism, Iraqis get Sharia. Fundamentalists get both countries, and women get the shaft. ■

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ARTICLES

# THE ONE-EYED CHAIRMAN

## HOW GREENSPAN HAS PUSHED THE RIGHT'S AGENDA

by WILLIAM GREIDER

When Alan Greenspan retires as Federal Reserve chairman early next year, we can expect waves of adulation for his extraordinary eighteen-year reign over the American economy. The financial press is already offering nostalgic retrospectives on the highlights: the crash of '87 and rapid rebound, the chairman's total victory over price inflation, his swift interventions to avoid financial panics and to reverse the stock market's massive meltdown of 2000–01. In tempestuous times, this Fed chairman acquired a godlike aura—the inscrutable wizard with a nerdish charisma, his wisdom cloaked in financial doubletalk. How will the nation get along without him?

A different assessment was expressed last winter by the Senate minority leader, Harry Reid. "I'm not a big Greenspan fan," the Nevada Democrat allowed. "I think he's one of the biggest political hacks we have in Washington." His harsh comment was politely overlooked in governing circles, like an off-color joke told at a Washington dinner party.

When the adulation fades and people begin to understand the full weight of Greenspan's legacy, however, they should be able to see that Reid had it right. Indeed, the Senator's critique did not go far enough. The central banker is a hack, yes, but also a man of conviction.

Alan Greenspan is the most ideological Fed chairman since the 1930s. Without ever acknowledging his intentions, he enlisted himself and the awesome governing powers of the central bank in advancing the "reform" agenda of the Republican right. The chairman thus became an important actor in achieving the profound transformations that occurred during the last generation: the retreat of government, the rise of market ideology and the financialization of American economic life. The "money guys" gained hegemony over the "real economy" of production and work—the people and businesses who make things. The consequences imposed on society are often described as "the tyranny of the bottom line." In numerous ways, the Greenspan Fed helped make it happen. However, the chairman did not produce what conservative doctrine promises—stable and secure prosperity.

Greenspan crossed a line previous Fed chairmen had always gingerly honored: the appearance of political neutrality. That's what angered Reid—this chairman made himself a player on highly partisan matters, using his status as the influential arbiter of "sound economics" to prod Congress and the public to accept the right's larger goals. After years of hectoring Democrats to cut spending and eliminate federal budget deficits, the chairman turned around and endorsed George W. Bush's massive, regressive tax cuts. Democrats fumed, since they had been snookered by Bill Clinton and his Treasury Secretary Robert Rubin into accepting the Fed's agenda, with never a complaining word. But Wall Street loved the wizard, who had gratuitously embraced the GOP plan to deform Social Security by turning over its trillions to the private investment houses.

Trespassing in party politics is not a trivial offense. The so-called "independent" Federal Reserve, from its origins in 1913, has in theory been a cloistered, technocratic institution that has stayed above the fray, making "scientific" decisions on money and credit, acting like a "governor" that regulates the engine of economic growth for long-term stability. The notion of a depoliticized central bank is illusory, of course, since banking interests have always hovered intimately around the Fed's policy decisions. But the myth is useful cover and necessary to sustain the Fed's privileged status as a government agency exempted from normal scrutiny and criticism, deliberately shielded from account-

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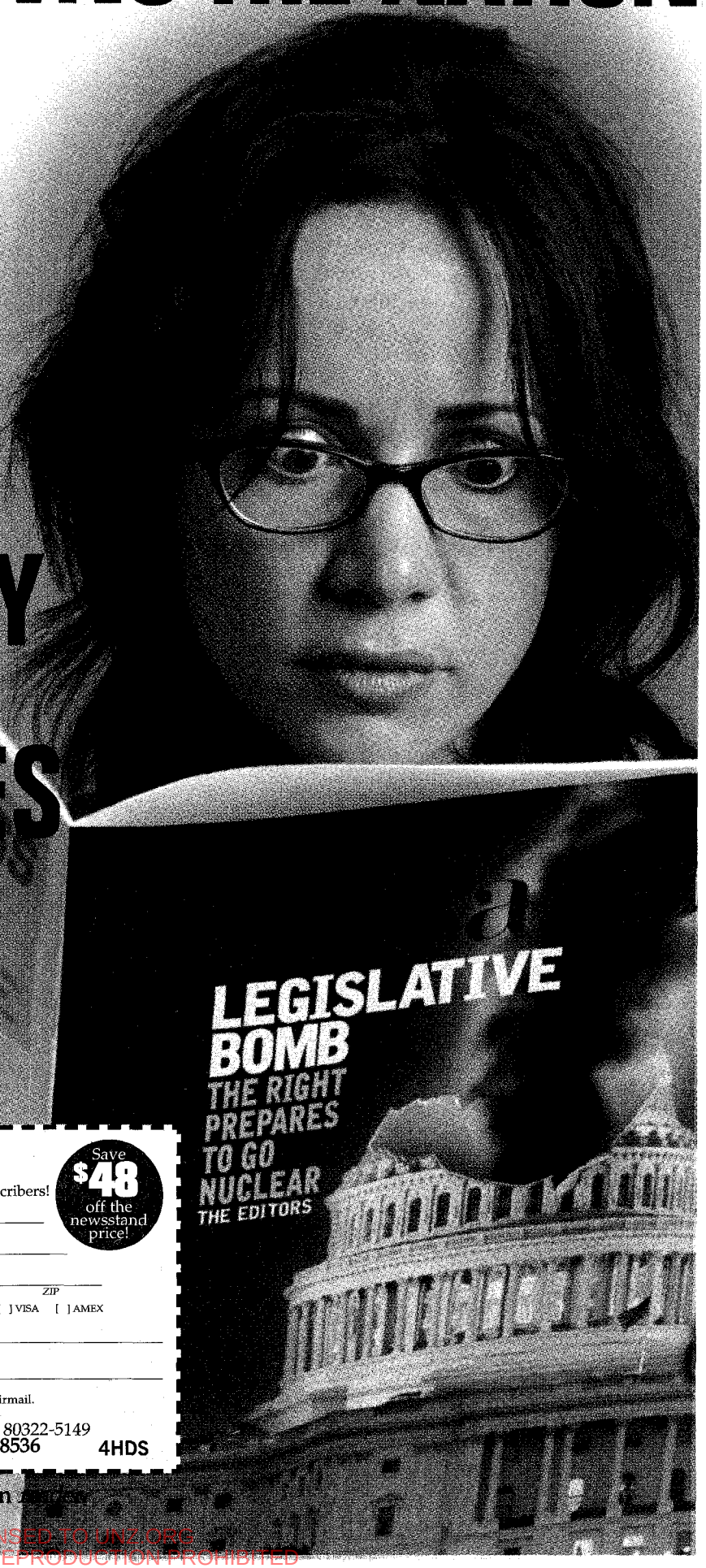


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ability to the voters—that is, shielded from democracy.

But if the Fed chairman is acting as an errand boy for special interests—in this case for concentrated financial power and wealth—why should the central bank continue to be granted its protected status? Why not bring the institution out into full sunlight, scrub away the pseudo-scientific mystique, make it accountable to elected officials and let Americans learn how to engage with the political-economic issues that govern their lives?

Like other good questions prompted by Greenspan's distinctive performance, this debate is unlikely to be heard, not yet anyway. The bipartisan deference to the central bank remains too strong. Reform-minded politicians have dwindled to a handful. Someday, however, the partisan question might come back to haunt the Federal Reserve and the right-wing Republicans, too.

## From Active Government to Laissez-Faire

The ideological shift executed by the Greenspan Fed is more extreme than generally recognized. There has been nothing like it since the New Deal years, when Marriner Eccles was Fed chairman and collaborated closely with FDR to reform the central bank and convert it to the economic understandings grounded in Keynesian liberalism. Eccles and Greenspan are like historic bookends on the long, gradual transition in economic thinking from left to right, from active government intervention to the current faith in laissez-faire markets.

Eccles was a Republican Mormon banker from Utah who became a leading architect of New Deal reforms (including issues beyond monetary policy). In the crisis of the Great Depression such odd political convergences occurred. The self-taught Eccles (he never went to college) personally intuited what John Maynard Keynes developed as a formal theory: The national government, including the Fed, must become the intervening balance wheel in a modern industrial economy—the stabilizing force that, when necessary, stimulates the economy to encourage faster growth and full employment, while at other times it puts the brakes on economic activity to avoid inflation. Eccles essentially invented the modern Federal Reserve, liberating the central bank from the 1920s hard-money orthodoxy of banking and finance, an inflexible doctrine that gravely worsened the Depression.

Greenspan, one might say, devoted his tenure to eliminating vestiges of Eccles and FDR. He resurrected the financier's lost religion, now dignified by conservative economists as the new theory of "efficient markets." Keynesian demand-side stimulus, they contended, produces no lasting effects for the economy, so nothing will be gained by worrying about wage incomes and the consuming power of workers. Wages should be determined by the marketplace and are none of the government's business, except when it wants to squelch price inflation.

The best government can do for the economy, conservatives argued, is to boost the "supply side"—that is, favor wealth holders so they will have more capital to invest in new factories and production. This logic led to huge tax cuts for high-end citizens and for business. It meant liberating and protecting financial markets to do their thing: distributing capital for productive uses in the most efficient (and often ruthless) manner. It convinced Greenspan's Federal Reserve, though a principal regulator of banking and finance, to no longer believe in regulation.

In that sense, Greenspan was the perfect chairman for this era. His monetary policy directly supported all of the various doctrinal strands of the right's ascendant ideology. He deliberately restrained economic growth for many years, effectively suppressing employment and wages. The economy, he argued, cannot grow faster than 2–2.5 percent without igniting price inflation, so the Fed was duty bound to prevent it. (That's not exactly laissez-faire policy, but never mind the contradictions.) Capital gained in value as a result. Labor took it in the neck. Economic ideologies are often elaborate rationales to justify taking care of some folks and neglecting others.

Meanwhile, protecting the supply side of the economy, the chairman came to the rescue of the financial system and financial firms again and again, whenever they encountered serious peril or the stock market seriously wilted. The 1998 collapse of Long Term Capital Management was interpreted as threatening the safety of the financial system so the Fed stepped in (what happened to the therapeutic effects of market discipline?). Likewise, the Fed reacted aggressively to the Russian debt crisis that year and the jitters over the "Y2K crisis" of 2000, and Greenspan provided quick liquidity or interest-rate cuts to calm other financial-market upsets.

Greenspan did not formally try to deregulate the banking system, but simply declined to use the Fed's regulatory powers to enforce regular order or discipline fraudulent behavior. In the name of greater efficiency he engineered legal approval for new megabanks like Citigroup even before Congress changed the law. These "too big to fail" financial conglomerates promptly rewarded the chairman's faith by engineering their own massive scandals—the Enron-style corporate frauds and dishonest balance-sheet maneuvers that bilked investors.

## Bubbles and Meltdowns

Greenspan's finance-friendly passivity was demonstrated most fatefully when the stock market developed its infamous "price bubble." The chairman refused to take preventive action. Some $6 trillion was lost by investors in the meltdown, but Greenspan treated it like an unfortunate act of nature. Government does not know enough, he insisted, to intervene in such situations. All it can do is clean up the mess afterward. Greenspan was frequently compelled to do so.

The governing culture at the Fed was also changed dramatically under Greenspan's tutelage. Libertarian clones were appointed to various top positions—officials who take principled pride in their refusal to act as vigilant regulators. The president of the Richmond Federal Reserve Bank warns of the danger of policing the banking industry's "predatory lending" practices too stringently. The Chicago Fed president attacks public schools as a government monopoly. A Federal Reserve governor (and former bank lobbyist) testifies on the need for the Fed to provide larger subsidies for the major banks.

The contrast with Greenspan's predecessor, Paul Volcker, is instructive. Volcker was a savvy and imperious career regulator, adept at befogging politicians and willing to impose harsh discipline on the economy (his long, brutal recession in 1980–82 launched the process of disinflation that Greenspan complet-

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ed). But Volcker also distrusted the lemming-like behavior of bankers and the faddish enthusiasms of financial markets. He managed his monetary policy close to the vest, hoping to keep the "money guys" off balance and a little intimidated by the Fed's power. Greenspan wanted markets to trust him, even like him. If he provided ample "information" and sprung no surprises, he thought financial-market participants would behave in reasoned, responsible ways. Never happened. But they did like him. They knew he was on their side.

While many contradictions accumulate around Greenspan's governance, none are more obvious than this: The chairman ruled like a one-eyed king, who chose to see only half of the reality before him. He applied rigorous discipline to the real economy, always ready to slow things down to block any price inflation in goods and services, especially in wages. Often he erred deliberately on the side of pre-emptive toughness—tamping down economic growth even when there was no price inflation at all.

*In the Greenspan era, the Fed has acted as a principal source of the growing inequalities in American society.*

Yet the king simultaneously ignored the truly ferocious price inflation under way in financial markets during his long tenure. If working-class wages rose smartly, that was a sign of inflation threatening prosperity. If stock prices rose explosively, that was evidence of good times ahead. For true believers in the conservative orthodoxy, there was no contradiction—capital was growing, unions were being decimated. If you embraced "efficient markets" theory, you would naturally be reluctant to go against the stock market's soaring valuations. If you thought markets were self-regulating, you could count on them to correct themselves. In a way, they did—eventually and violently—by succumbing to a massive "correction"—much to the sorrow of millions of hapless investors, pension funds and others who had gotten no timely warnings from their government about what was ahead.

Greenspan could not claim ignorance. In private meetings with Federal Reserve Board colleagues as far back as 1996, he was repeatedly warned of the dangers posed by the growing stock-price bubble. He declined to take any action or even warn the public. Yale economist Robert Shiller, whose book *Irrational Exuberance* impressively predicted the coming bloodbath, was a rare critic. A public official who fails to alert investors to such risks "is no better than a doctor who, having diagnosed high blood pressure in a patient, says nothing because he thinks the patient *might* be lucky and show no ill effects," Shiller wrote.

## The Price of 'Sound Money'

The lopsided focus of Greenspan's Fed—exalting financial markets over the real economy—is perhaps his greatest ideology-driven error, and it caused the deepest damage to society. Congress by law instructs the Federal Reserve to pursue twin goals—stable money and full employment—and there is always a natural tension between those two objectives. Maintaining low price inflation gets much more difficult when the economy expands more vigorously, so the central bank traditionally tried to sustain a rough balance. Greenspan resolved the tension easily (as most conservatives probably would) by tipping the scales in favor of sound money.

The strategy produced very low price inflation, as close to zero as possible, which boosted prices for financial assets, stocks and bonds but also pumped up the financial bubble even further. Soaring stocks encouraged "New Economy" fantasies that the good times would last forever. His fans call Greenspan's era "the great moderation" because there were fewer and shorter recessions, but that leaves out the deeper-running consequences of his reign. In reality the Fed was acting as a principal source of the growing inequalities in American society.

Greenspan's ultimate dilemma—his essential governing failure—was that he didn't know how to handle "success." He had pushed too far in one direction, hardening money's value year after year, but he couldn't push price levels any lower without igniting a destructive deflationary spiral. How to turn around? Conservative orthodoxy provided no good answers to this dilemma, since it claims that zero inflation is a state of perfection. In fact, it is the most dangerous terrain in capitalism. Preventing deflationary calamities was one of the main reasons the Federal Reserve was created.

After years of doing the opposite, the chairman belatedly took his foot off the brake pedal and decided to let the economy grow faster. His shift generated full employment and rising wages—the chairman was celebrated as an economic genius—but booming relief for the real economy came too late to last, given the other imbalances Greenspan had fostered. Faster growth perversely expanded the stock market's delusions, and the price mania spiraled to new heights. Remember the predictions of Dow 35,000? Instead of confronting the real problem, the financial excesses, Greenspan once again turned on the real economy and hammered it with increased interest rates, deceitfully claiming he was attacking wage-price inflation. He lost his gamble on both fronts. The financial bubble did not moderate; it collapsed. And so did the short-lived boom. The national economy was deeply wounded by these events and it is still struggling to recover.

Beware of economic policy-makers who go to extremes in defense of ideological convictions. Essentially, that is the nature of Greenspan's grave failure. The real world did not cooperate with his right-wing beliefs, but he persisted anyway. In the hydraulics of monetary policy, his posture set in motion deep waves of economic extremes: fabulous personal wealth alongside a deeply indebted populace; extraordinary corporate profits alongside stagnant wages and surplus labor; too much capital and not enough consumer demand. These exaggerated waves, and some others, are still sloshing back and forth in the US economy. They will for years ahead, with more crises to come. Greenspan collected much praise for his swift and daring rescue missions—the nimble fireman rushing from blaze to blaze, putting out fires before they destroyed the economy. What many people did not understand is that it was Greenspan who lit the match.

The great irony of the Greenspan era is that conservative ideology turned out to be not conservative at all. It was instead recklessly experimental, testing out its new theories in the human laboratory and ignoring any negative results. Who can still believe in "efficient markets"? Not the folks who lost $6 trillion in the

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stock market. Who can seriously argue that capital investors need still more "supply side" favors from government, when even Bush's economic adviser complains of a "global savings glut"? Who still wants to liberate the fraud-happy bankers and financiers from the dead hand of government regulation?

My point is, the market ideology is in deep trouble—intellectually, if not politically. If you go behind the mystique and examine Greenspan's performance, there is abundant evidence that demonstrates in real terms the right's economic fallacies, never mind its moral failings. It is premature to talk of an ideological crackup—the right still holds power—but it is not too soon to develop the case for counter-reformation. Most academic economists wouldn't touch it, but maybe some young grad students will decide their right-wing professors are full of crap and undertake the search for alternative thinking. That is how reigning economic ideologies often crumble—when the next generation sees that the old orthodoxy can no longer cope with the facts.

*The financial froth of speculative bubbles—and their dangers—are another enduring legacy of the Greenspan era.*

The prospects for political reform are gloomier. Democrats tossed away their populist credentials years ago, and with few exceptions are utterly subservient to the Fed mystique. But there's strong, critical material for the reform-minded citizens and public officials who are not intimidated. What might they say? That the Federal Reserve has violated its basic obligations to democracy and it's time to revise its peculiar charter. It is wrong for a government institution to sit by silently and watch a slow-motion disaster unfold for citizens, as Greenspan did. It is also wrong—both politically and economically—to ignore the legal mandate and simply serve one realm of the economy over everyone and everything else. In a democracy, government at least owes citizens fair notice—a timely warning of what it's doing to them. The Fed never, never honors this obligation, for obvious reasons; but then neither do many politicians. That's the basic reason democratic discourse and accountability are so necessary—the hope that somebody somewhere in the government will have the decency to tell the people.

## What He Leaves Behind

Which brings us to current circumstances. The Greenspan era, unfortunately, will not end when he departs. The instabilities and ruptures he sowed will still be with us, and he would be wise to get out of town before people recognize the full depth of his destructive legacy. The US economy is not strong and self-confident or even especially efficient. It is stumbling along under subnormal conditions, losing ground and taking on enormous debt from abroad. Nor is the United States free of the follies and risks generated during Greenspan's reign, including financial delusions and the threat of deflation. His successor will presumably be a right-winger too, but one hopes for a more supple, flexible intellect.

The weak-willed economy is an apt illustration of where Greenspan's lopsided policies have led. Four years after the 2001 recession ended, the economy is still struggling to overcome its "jobless" recovery (or "job-loss" recovery, as manufacturing unions call it). Corporate profits have rebounded to extraordinary levels, but companies are reluctant to invest the capital. Wages, meanwhile, remain flat or falling, especially for working-class occupations. Forty-six months into this expansion cycle, the total hours worked in nonsupervisory jobs have risen only 2 percent since the recession ended—compared with rebounds of 9–16 percent after the four previous recessions. Manufacturing, once the vital core of US prosperity, is still losing jobs every month. Its total working hours are down 9 percent since 2001.

This is the most sluggish recovery on record, which seems to puzzle the Fed chairman. But it reflects the Greenspan style of running things; he presided over a similarly tepid recovery in the early 1990s. Tom Schlesinger, director of the Financial Markets Center, a monetary-policy watchdog, thinks the lopsided economy is the most disturbing hallmark of Greenspan's governance. "The Fed has said almost nothing about this, except [vice chairman] Roger Ferguson says there's nothing the Fed can do particularly," Schlesinger complains. "The jobless recovery appears to be a new feature of the US business cycle. Yet the principal agent of economic management says nothing."

In fact, Americans seem to be confronted with the very conditions Keynes warned against: an economy performing, more or less permanently, far below its potential. That situation proves satisfactory for the affluent and for business enterprise, since wage pressures are muted, but it makes life insecure or miserable for most everyone else. The logical response is a fundamental policy shift in favor of work and wages—boosting incomes and demand—but that approach would require taboo measures from the Keynesian past that even most Democrats don't understand or support.

Meanwhile, the financial froth of speculative bubbles—and their dangers—are another enduring legacy of the Greenspan era. "Irrational exuberance really is still with us," Robert Shiller wrote in the new, revised edition of his book. Notwithstanding the earlier meltdown, the stock market remains dangerously overvalued by historical measures, Shiller warns, and is now accompanied by dramatic price inflation in real estate. These two bubbles are false valuations by markets and will burst sooner or later. Shiller urges investors to recognize the "risk that in 2010 or even 2015, the stock market will be lower still in real, inflation-corrected terms, than it was in 2005."

Why do these financial delusions keep arising among investors? Shiller describes many causes, and they include Alan Greenspan's Fed. The chairman's earnest solicitude for financial markets, Shiller explains, contributed to the "gold rush" psychology, convincing financial players that the central bank would always come to their rescue and never turn against them. Their sloppy exuberance is the opposite of the manly competitive ethos and market discipline preached by Greenspan and the right. Worse, it is bound to injure innocent people. "Things happen during a speculative bubble that can ruin people's lives," Shiller noted. "Little will be done to stop these things if public figures consider themselves beholden to some overarch-

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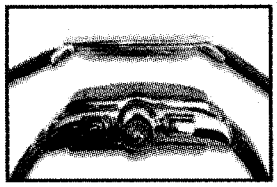

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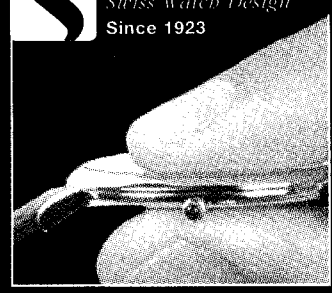

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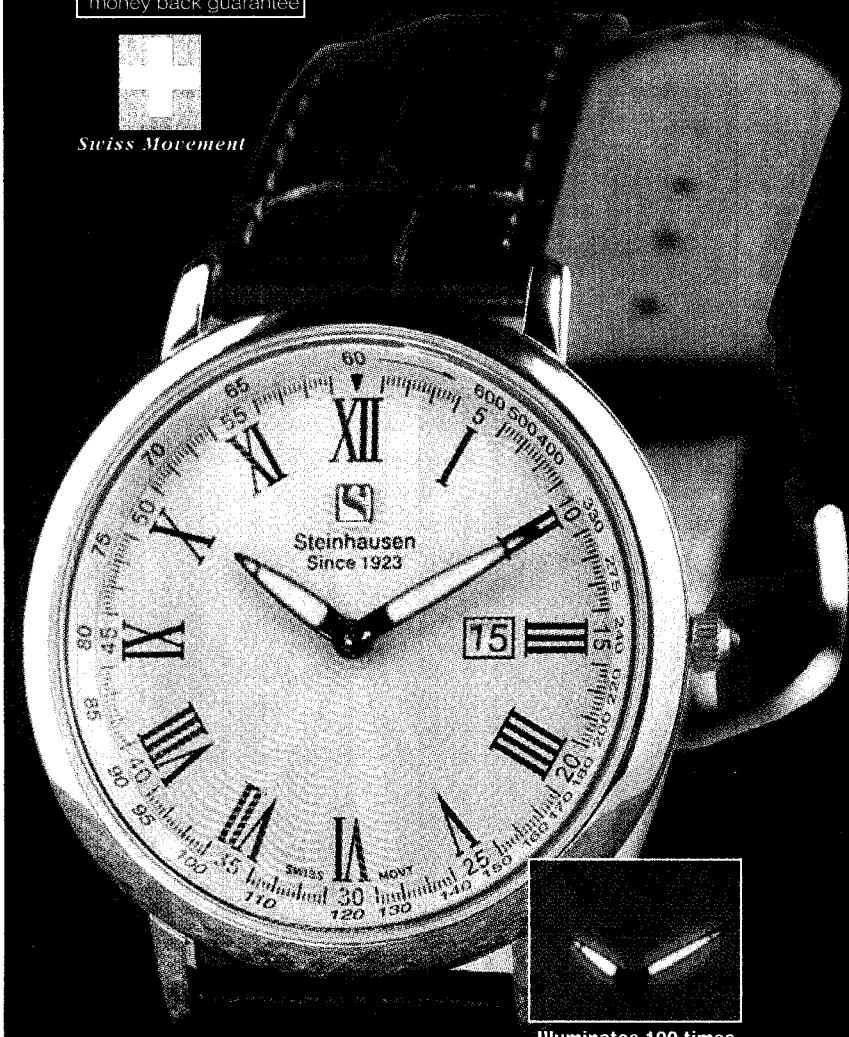




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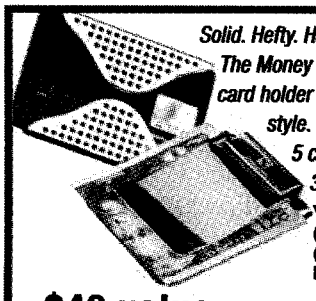

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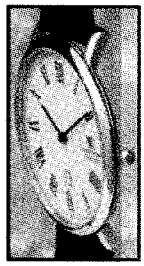

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ing efficient markets principle and do not even recognize over-speculation as a real phenomenon."

The specter of deflation is, meanwhile, still hanging over the United States. Greenspan initially took dramatic action to avoid the same fate Japan suffered after its financial bubble collapsed in 1990—a low-grade depression and a decade of sputtering stagnation. Cutting interest rates to near zero, the Fed succeeded, at least for the short run. But unless the economy gains more normal balance and energies in the next year or so, the United States may yet be facing the same ditch. The problem, explains William Gross, managing director of PIMCO, a major bond investment house, is that long-term rates have already fallen about as far as they can in real terms. "The Fed may soon be running out of fuel," Gross warns. "If the asset pumps run dry and the kerosene cans empty, the inevitable path of the US economy will reflect slow growth at best and recession as a realistic alternative."

Greenspan, meanwhile, is once again targeting the real economy, raising interest rates to gain some leverage but also flirting with a recession of his own making. He appears to be slyly hoping that higher rates will moderate the speculative bubbles without crashing the economy. Let's hope he wins the gamble this time.

The one-eyed king is in a corner and running out of moves, yet sticking with his failed convictions. Like it or not, we are still living in the lopsided world he made. And this half-blind king is still scary. ■

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# Failing Students, Rising Profits

**ANNETTE FUENTES**

Morris Gandy's son was a problem student throughout elementary school, playing hooky and acting up. A few days after he began sixth grade in 2002 at Gillespie Middle School in Philadelphia, he was suspended. Gandy, a single parent, beseeched the principal, "What can you do for a problem child?" He got no help.

MARCO MARELLA

Then a neighbor told him about Community Education Partners (CEP), an alternative school for kids like his son. So Gandy enrolled the boy, expecting that teachers there would know how to handle him. Instead, the situation went from bad to worse. "The teacher said my son shot him in the head with a rubber band," Gandy said. "I said, 'What are you going to do about it? This is supposed to be a school for troubled kids.'" His son told Gandy that all they did was watch movies. He went truant. "They are supposed to be the experts on the kids outside the box. They are supposed to get them back inside the box," Gandy said. "They couldn't hold his interest."

Morris Gandy is what you'd call a dissatisfied CEP customer. CEP, however, continues to prosper. Founded ten years ago in Houston, the company entered the private-school market at a time when Texas was a roiling caldron of Republican politics and Enron-style corporate dealing—and a laboratory for education reform. George W. Bush was governor, the mantra was accountability for public schools and the tools were high-stakes testing and privatization. What emerged from the mix were the so-called Texas Miracle, which boosted student achievement; Rod Paige as President Bush's Education Secretary; and ultimately Bush's No Child Left Behind (NCLB) law, authored by Texas education player Sandy Kress.

The Texas Miracle has since been debunked as so much manipulation of test scores and phony graduation rates. Paige, who rode to the White House on its falsehoods, is history. And Bush's NCLB is sagging under the weight of impossible test goals and unfunded mandates, with even some Republicans now criticizing it. But privatization in public education and the credo of accountability through testing still chug along.

CEP is one beneficiary. Despite a tarnished history and no independent evidence that its student-customers fare better than in regular public schools, CEP uses political clout to carve a niche market serving students the public schools don't want, and it makes millions in the process. CEP's story is a primer on how the politics of education reform serve business interests. Its success represents the triumph of free-market ideology over sound pedagogy and the fallacy of the accountability-through-testing approach to teaching. "It's fair to say they [CEP] have avoided true scrutiny," said Carl Shaw, a former Texas state official who evaluated CEP's program. "Their modus operandi is political, not educational and not scientific."

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CEP contracts with public school districts in Houston, Atlanta, Philadelphia, Richmond and Orlando, and in the Pinnellas and Bay districts in Florida, to run alternative schools for students in grades six through twelve who've been suspended for behavioral problems. Most students sent to CEP also are academically failing, and the vast majority are African-American and Latino. CEP's contract requires that students spend 120–180 days in the program—far in excess of the typical ten-day suspensions public schools impose on

*Annette Fuentes is a New York journalist who writes on education and healthcare. Research assistance was provided by the Investigative Fund of The Nation Institute.*

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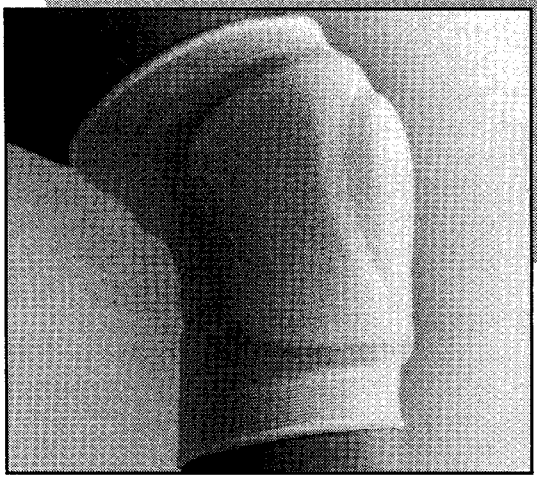

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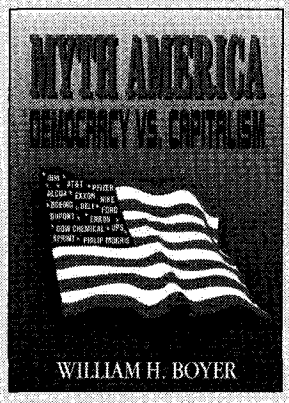


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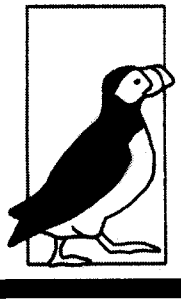

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misbehaving students. CEP's rationale is that it needs time to transform kids' behavior and academic performance, but the company also has an obvious financial incentive for a longer placement. CEP's per-student charge varies by district, but it's more than the districts spend per pupil on regular students. In Orlando CEP gets $8,865 per pupil, double the district's own cost. Philadelphia pays CEP about $13,000 per pupil—almost twice the district's $7,000 average cost. "We charge more. We're a premium product," said Randle Richardson, the CEO of CEP. "Anyone can warehouse a child."

CEP renovates abandoned big-box stores or industrial spaces, creating sex-segregated "learning communities." The students can't mingle and are walked in groups to bathrooms at specific times. Lunch is provided in their classrooms. Students may not bring money to school and are screened as if going through airport security, shoes and coats off. Teachers take attendance with an electronic fingerprint scanner that transmits the information back to CEP headquarters for payment. Some critics have called CEP schools "soft jails."

CEP boasts that it employs "certified teachers and degreed individuals with experience in behavior management, counseling or social services." But CEP faces the same shortage of certified teachers the public schools do, and it pays lower salaries. In its early Houston days, says Marsha Sonnenberg, a Fort Worth educator who consulted for CEP, "they used some people from corrections and some they trained. Some had been from the streets themselves and rehabbed. Some were a little more like me." Irving Mitchell, principal of CEP's Atlanta school from August 2003 to January 2004, said his school had few certified teachers and high turnover, so on an average day classes were doubled up. "There was very little instruction, because you were dealing with fights and staff shortages," Mitchell said. Richardson said CEP pays for teacher-certification training when needed, and that such classes are brought onsite for his Philadelphia staff.

"Be Here, Behave and Be Learning," is CEP's motto, but it should include "Be Tested," because students spend much of their learning time at computers with Plato, a self-paced tutorial that tests and assesses achievement. CEP uses Plato data to prove its claims of student improvement, but assessment experts give Plato mixed reviews, and some who've worked with it say cheating is not difficult.

## Political Juice

Richardson founded CEP with his college buddy Phil Baggett, CEP's vice chairman. Richardson says his inspiration came from his early years as a small-town lawyer taking $50 juvenile delinquency cases from the family court judge. Then Richardson ran the Tennessee Farmers Home Administration, making loans to low-income homeowners. John Danielson, who would become Under Secretary of Education to Paige, was also a founder. Initial investors included Bill McInnes, formerly of the Hospital Corporation of America, and Tom Beasley, founder of the Corrections Corporation of America, the private prison company. CEP's early investors put up $65 million; the company is now backed by Stephens Inc., a Little Rock, Arkansas, investment bank, and the Texas Growth Fund, a pri-

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vate equity firm created by the Texas legislature with public employee pension funds. Richardson says CEP's annual revenues are $70 million.

Richardson bristles at questions about Beasley's role, sensitive to critics who've likened CEP schools to juvenile jails. "We had discussions early on that we are not going to be correctional," Richardson said. "Tom understood. He said, 'I'm an investor. You guys are here to run the company.'" But like Beasley, Richardson saw a ripe business opportunity in privatizing a public service—one that, like prisons, deals with society's messy failures. CEP's first contract was to operate a juvenile detention alternative-education program for Harris County, Texas.

Giving CEP entree into the Texas education scene was George Scott, then president of the Tax Research Association, a nonprofit education-reform group in Houston, and now a senior writer for the online newspaper *Education News*. Scott, who was close to Paige when Paige was Houston schools superintendent, helped CEP score its first public school contract, with the Houston district. Scott said he told Paige, "Rod, this is it. This is privatized accountability at its best." Scott later became a CEP critic, though, charging that the company evaded real accountability for a program that was educationally flawed and a waste of taxpayer money. "I look back on my role with CEP, my dedication and commitment to accountability, and it is the greatest professional disgrace in my career," Scott said. "As long as the district and the vendor have influence over accountability measures, it is corrupt."

Richardson says his background is in government, but it's his Republican Party credentials that pay off. Like Tom Beasley before him, Richardson was Tennessee's GOP chair—from 1992 to 1995—helping to lead Republicans "out of the wilderness and into control of statewide offices," according to one news account. Richardson soft-pedals his political ties, calling himself a "Howard Baker Republican" and insisting CEP is above the partisan fray. But CEP has thrived on the accumulated political juice Richardson and his cohorts have squeezed, mostly Republican-flavored, since its founding.

In Texas CEP executives cultivated powerful friends, hiring Houston school board member Larry Marshall as a $6,000-a-month consultant and landing an endorsement from George Bush Sr. at the opening of CEP's first Houston school. "They were putting together the juiciest political team," Scott said. "They had powerful people at their beck and call." Political pull helped CEP waltz into Florida. Richardson and Baggett contributed to Charlie Crist's successful 2000 run for state education commissioner and to Governor Jeb Bush's 2002 campaign. In 2001 CEP's Florida lobbyist Juhan Mixon helped write a provision in a state appropriations bill that earmarked $4.8 million for "Alternative Schools/Public Private Partnerships." It was "to serve a minimum of 500 or more disruptive and low performing students"—a description tailored to CEP. Mixon also lobbies for several Florida school districts, including Bay, which hired CEP.

In Philadelphia CEP found privatization high on the agendas of then-Governor Tom Ridge, a Republican, and state politicians. The state took control of the bankrupt Philadelphia school district in 2001, and state legislators made privatizing schools one


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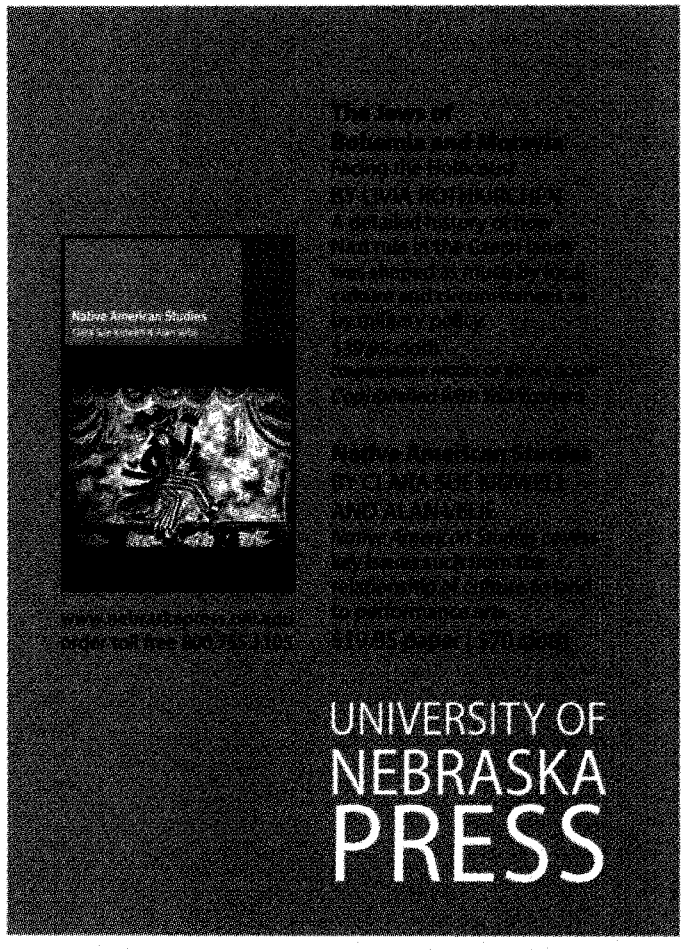



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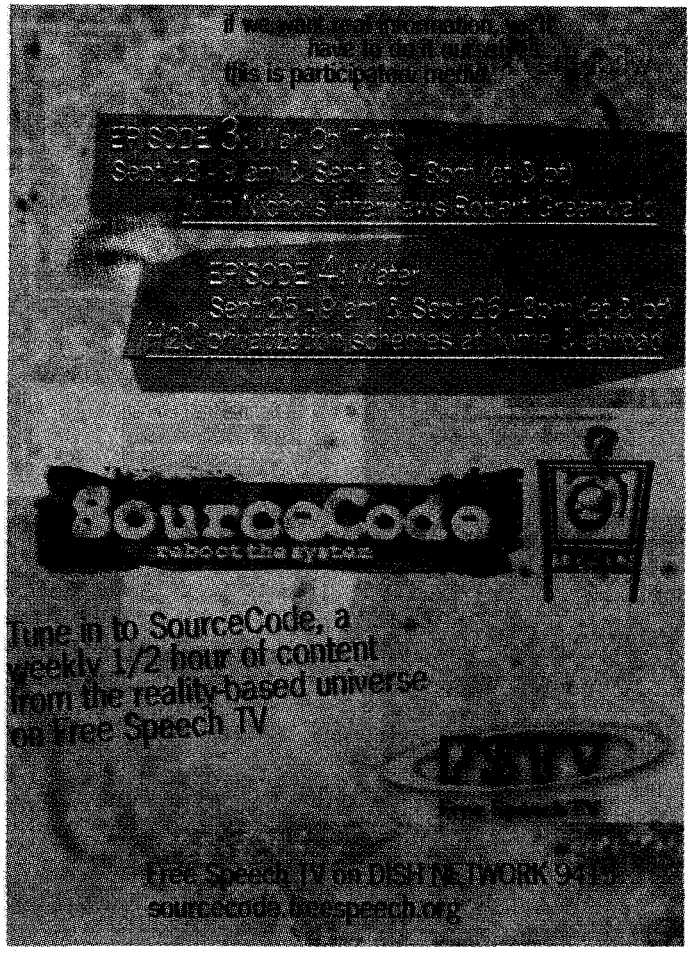
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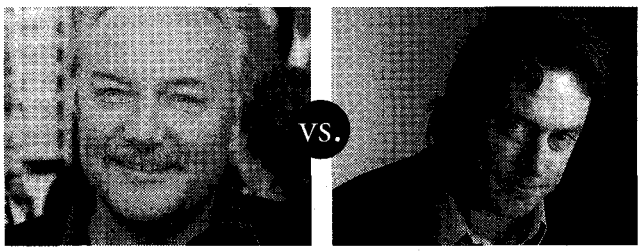


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of the conditions for the bailout. CEP's chief political ally has been Republican State House Speaker John Perzel, whose beefy visage graces the company's website along with his testimonial. Richardson, Baggett and CEP execs have contributed more than $11,000 to Perzel's campaigns. CEP's five-year, $28-million-a-year contract with Philadelphia schools was renewed in May 2004 with no debate.

## Accountability in Action

CEP is a product of the high-stakes testing and accountability approach to education reform, which aims to run public schools like businesses whose products are students. Yet holding CEP accountable has been a quixotic undertaking because of the fluidity of the student population, the malleability of statistics and the company's political savvy. The few totally independent evaluations of CEP's effectiveness have rated it poorly. Several evaluations were paid for by CEP, like one in 1999 by Bush Sr. Education Department appointee Diane Ravitch, whose glowing endorsement of CEP's Houston program appears on CEP's website. Others were based on testing data completely controlled by CEP.

In Texas CEP's first brush with evaluation was a lesson in the pitfalls of accountability and the importance of data control. In 1997 Texas state education commissioner Mike Moses hired Carl Shaw, former chair of the Texas Education Agency's (TEA) assessment committee and head of Houston's testing for fourteen years, to assess CEP's first contract, the juvenile detention program. Shaw found limited student progress after six months in CEP, and after a year, actual regression. "I could find no evidence that there was a strong-enough academic program in place to produce change," he said. "One report I wrote for [the Houston Independent School District] said few CEP students would be smart enough for prison education. It's shocking, and here's a company touted as a leader." Shaw said CEP head Richardson was angry at his findings and his refusal to compromise his work. "The first reaction I had from Richardson was, 'I am more powerful than you,'" Shaw said.

CEP executives turned to Scott, the taxpayers' group president, for backup. "They wanted support that his test had gone awry," Scott said. "I told them I was 100 percent into Dr. Shaw's approach." Scott says discussions he and CEP had been having about a consultancy and shares of founders stock broke down because Scott refused to repudiate Shaw. Richardson says CEP raised concerns about Shaw's tests having "both positive and negative aberrations," and that they couldn't be validated by the TEA. Richardson noted that his relationship with Scott soured after the problems with Shaw's testing emerged.

Next up was Dr. Tom Kellow, an evaluation specialist for Houston's schools. In 1999 Superintendent Paige asked Kellow to evaluate CEP—but he was forbidden to visit the school and could only use data CEP provided. Kellow learned that CEP's contract stated that it could only be held accountable based on its own in-house testing, not the statewide Texas Assessment of Academic Skills (TAAS). "What I found is what Carl Shaw found," Kellow said. "The longer [students] stayed, the worse their performance." Although under NCLB all schools must meet Adequate Yearly Progress (AYP) standards for specific

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percentages of students testing at grade level in math and reading, the TEA exempts CEP. For both 2003 and 2004, the AYP status of CEP's two Houston schools is listed as "Not Evaluated." CEP's school profiles on the Houston schools website also reveal that the company evades the accountability that public schools face: No TAAS scores are listed and no information is provided for either state or district accountability measures.

Houston continues to contract with CEP despite those early assessments, but Dallas's public school district was more discriminating. Dallas hired CEP in 1999, with a five-year, $10 million yearly contract. But after three years the district bowed out; its own evaluation of CEP in 2002 recommended ending the contract, stating that "the model of education provided by [CEP] was untenable from a pedagogical standpoint. The reliance on non-certified teachers for the bulk of the student-teacher interaction was useful for the company to save money, but was not a design in the best interest of the students.... Students who attended Community Education Partners did not do very well academically." CEP had refused to provide its budget data, the report noted, making it impossible to know just how it was spending the district's money.

Dallas's report and a series of critical articles about CEP in the *Houston Press*, an alternative newsweekly, helped New Orleans public schools decide against a contract with CEP, according to former school board president Cheryl Mills. But Atlanta public schools ignored the negative press and evaluations, contracting with CEP four years ago. CEP's Atlanta school was the target of community organizing in early 2005 after the *Atlanta Voice*, a black newspaper, ran a series exposing serious inadequacies at the CEP school. The articles were based on the accounts of former CEP principal Mitchell and of a former teacher. "It became a dump for human waste," Mitchell said. "Accountability is with the Atlanta school board for disenfranchising these kids. There was a contract and expectations, and I feel they were not met. The statistics show they weren't met."

Atlanta schools deputy superintendent Kathy Augustine called Mitchell "disgruntled." She said she was unaware that students could not take books home, that there was no homework or that there was a teacher shortage. "I think we're improving," Augustine said. "It's a developing relationship. Finding leadership is key to that." She said she had no evidence that CEP was not living up to its contract. Told that CEP's school had failed to meet AYP standards for reading and math in the 2003–04 school year, Augustine said, "The AYP piece is different for nontraditional schools because children are very fluid." She noted that the school board had voted to extend CEP's contract through 2009.

In Philadelphia even supposedly independent evaluations of CEP were dependent on company-controlled data. In March Philadelphia released an evaluation of CEP's two schools conducted by researchers at Temple University. The report surveyed seventy students and seventy parents who offered positive reports on CEP's program—a fraction of more than 4,300 students CEP has served. In evaluating student academic growth, the report relied entirely on CEP's own Plato data, which claim astound-


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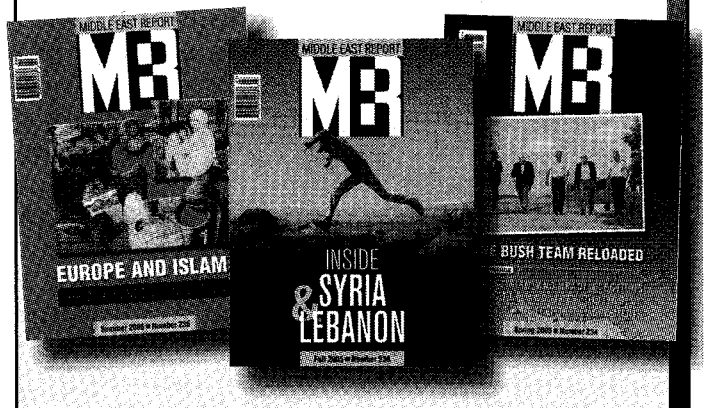


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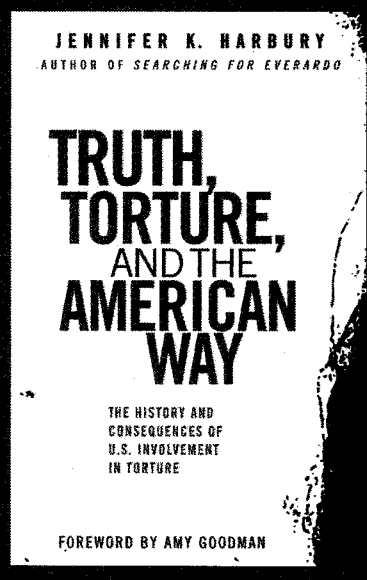
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THE HISTORY AND CONSEQUENCES OF U.S. INVOLVEMENT IN TORTURE
FOREWORD BY AMY GOODMAN

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ing gains of three to four "grade levels" in reading and math for students who spend 180 days at CEP—but there's no indication of how many students actually stay that long. The school district itself partakes of the statistical spin. Paul Socolar, editor of *Philadelphia Public School Notebook*, an independent newspaper, noted that in 2004 the district issued a CEP fact sheet that excluded CEP scores on the statewide standardized test for eighth graders, which had gone down; in January of this year the district excluded results for CEP eleventh graders, which had gone down. "It's a total manipulation of data," Socolar said. And as for meeting the AYP standards, CEP's Philly schools don't.

CEP's Richardson says the proof of his company's success is that districts keep renewing their contracts. The question is how success is defined. Public schools have strong incentives to remove the lowest-performing students from their classrooms and make them CEP's problem, especially since the passage of No Child Left Behind. "CEP was a way to get around NCLB," said Mitchell. "If you move these kids from the regular school program, you automatically decrease the dropout rate and get a gain on your test scores. So you contract those kids out; they're in a separate environment, but they aren't counted in the total." For Socolar, CEP is a political solution to the public system's failures: "From the beginning, the concern that jumped out about CEP is whether putting these students in the hands of private companies is a way of putting them out of sight and out of mind," he said. While the public schools are hammered by the accountability-through-testing mandates of NCLB, CEP skirts the same accountability and proves the uselessness of high-stakes testing as an education strategy. Judging CEP by its test data only seems to make sense because the company and school districts that hire it buy into that accountability measure. Test scores, in truth, can never be an end in themselves—or proof that children are learning. That's why NCLB is phony education reform.

At the end of an interview Richardson asked in almost plaintive tones, "Are we the enemy?" Well, yes and no. CEP may be doing a poor job, but it's only a symptom of the crumbling national commitment to public education, including the public schools' failure to educate huge percentages of mostly black and Latino students. Vouchers and other privatizing efforts in education have still not gained the momentum that conservatives had hoped for. But companies like CEP in the expanding private education industry help chip away at the public school infrastructure by targeting a market—the "bad students"—that has few advocates. CEP promotes privatization in a more quiet, effective way than Chris Whittle's troubled Edison schools have. And Richardson's future ambitions reveal an astute understanding of the changing nature and needs of today's student population: He'd like to run schools for overage students—17- or 18-year-olds who work or raise families and need flexible programming, the students who "don't fit in the box," he says.

As the box holding traditional students shrinks, one challenge facing public school educators is how best to serve all students—from high achievers to the most disruptive kids like Morris Gandy's son. If the public sector abdicates its responsibility to educate all children, businessmen like Randle Richardson are ready to step in. ■

## LETTERS
CONTINUED

*(Continued From Page 2)*
among Arab Muslims decades before the entire world had to confront them on an almost daily basis! DAPHNE PATAI, JENNIFER PATAI SCHNEIDER

### LOST IN TRANSLATION?

*Shepherd, Mich.*
■ In his review of Novalis's *The Novices of Sais* ["Mother Nature's Son," July 18/25], Ross Benjamin mentions the original German title, *Die Lehrlinge zu Sais*, but fails to mention that he is reviewing a work in translation, much less name the translator. Benjamin claims that the author, an early German Romantic, uses language that "seduces in the same way that the numerous cloaks and guises of nature captivate the knowledge seekers of the novel." Is Benjamin talking about the prose of the original author or of the translator? Both? Shouldn't *Nation* reviewers be more sophisticated than those who claim they want to read the Bible only in the original English? MARK HERMAN, *translator*

### 'THE NATION' IN PRISON

*San Francisco*
■ I recently bought a *Nation* gift subscription for my poor brother in state prison in North Carolina. The first issue came, and the assistant superintendent refused to let my brother have it because of the image of the KKK on the cover illustrating Gary Younge's "Racism Rebooted" [July 11]. My brother was very upset. He told the superintendent it was not a neo-Nazi magazine and offered to remove the cover. The superintendent said he knew *The Nation* was not a racist magazine but claimed it was a security threat and would cause other inmates to think my brother was part of Aryan Nation or some such group, and he still wouldn't let him have it. I think the real reason my brother can't have his *Nation* is they don't want inmates reading a lefty magazine. MICHELLE BRODIE

### BLUE ISLANDS IN A RED, RED SEA

*Kansas City, Kan.*
■ Being from Kansas City, I find John Nichols's portrayal of Lawrence as the lone progressive city in a sea of conservatism a little inaccurate ["Urban Archipelago," June 20]. Our city and county are Democratic strongholds, have a population that is more than 50 percent ethnic minority and all our representatives in the State House and Senate are Democrats. Our county voted overwhelmingly for John Kerry, even more than in Douglas County, where Lawrence is located. Lawrence does not stand alone here in Kansas. ANTHONY GAYDEN

*Austin, Tex.*
■ As a citizen of the state that gave us, ahem, George W. Bush and Tom DeLay, I must beg that John Nichols give at least an honorable mention to my city, the capital of Texas: Austin. Austin is the one calm blue dot of progressivism among the angry hive of wasp-red conservatism that has infested a onetime Democratic stronghold. I will not and cannot brag on any city politicians, but Austin is the home base for Molly Ivins, Jim Hightower *and* Willie Nelson. That's got to count for something. TIM BISHOP

### MY BLUE HAVEN

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I know your words
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When Republicans
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CHRISTOPHER BOYDSTON

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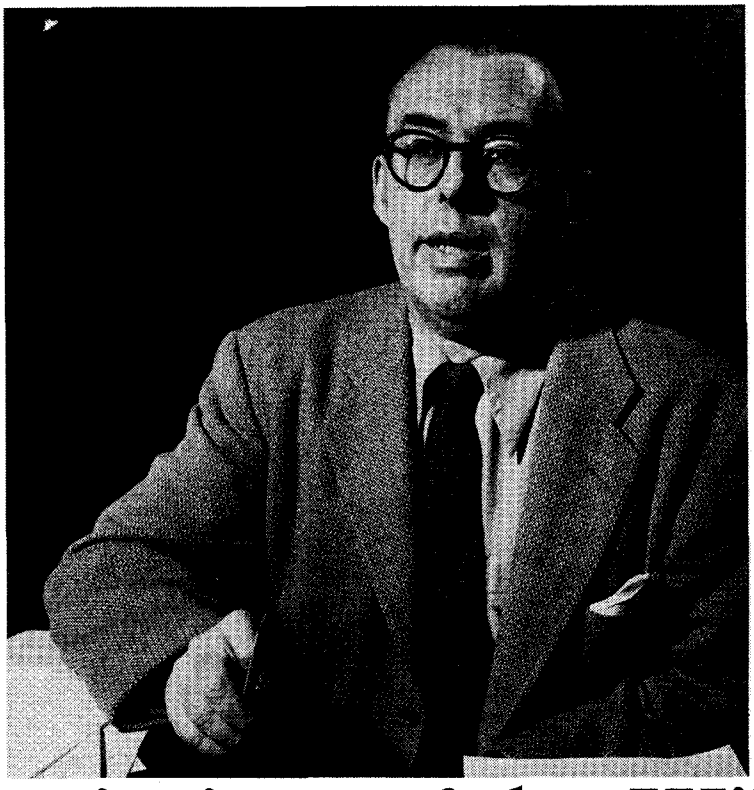
BOOKS & THE ARTS



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# Optimism of the Will

MIKE DAVIS

**AMERICAN PROPHET: The Life and Work of Carey McWilliams.**
By Peter Richardson.
Michigan. 368 pp. $35.

**THE EDUCATION OF CAREY McWILLIAMS.**
By Carey McWilliams.
Simon & Schuster. 363 pp. Out of print.

**FOOL'S PARADISE: A Carey McWilliams Reader.**
Edited by Dean Stewart and Jeannine Gendar.
Heyday/Santa Clara. 263 pp. $18.95.

In the spring of 1951 *The Nation*, the octogenarian flagship of independent radical opinion, was almost on the ropes. The refusal of its doughty publisher-editor Freda Kirchwey (1937–55) to enlist the magazine in the ranks of cold war liberalism had made it the special target of media inquisitors and anticommunist intellectuals. While Joe McCarthy hunted subversion on the banks of the Potomac, Congress for Cultural Freedom types—including Arthur Schlesinger Jr., Sidney Hook, Elliot Cohen and Irving Kristol—circled around *The Nation* like so many hungry sharks. In a typical attack, Harvard historian Schlesinger accused Kirchwey of "betraying [the magazine's] finest traditions" by publishing "week after week, these wretched apologies for Soviet despotism."

A mere subscription to *The Nation* raised suspicion of being "soft on communism," and in at least one case, buying the magazine was enough to get you blacklisted. The magazine was banned from New York City schools, fundraising appeals brought dismal results, longtime donors refused to return Kirchwey's phone calls, veteran contributing editors deserted the masthead and its former art critic, Clement Greenberg, viciously libeled its foreign editor, Spanish Republican exile Julio Álvarez del Vayo, as a Stalinist agent. Sensing *The Nation*'s vulnerability, the magazine's arch-foes, *Commentary* and *Encounter* (the beneficiary of covert CIA funding) moved in for the kill with sustained campaigns of innuendo and allegations of disloyalty.

Besieged and nearly bankrupt, Kirch-

*Mike Davis, a professor of history at the University of California, Irvine, is the author of several books on California, including* City of Quartz, The Ecology of Fear *and* Magical Urbanism. *His book on the avian flu is being published by the New Press later this year.*

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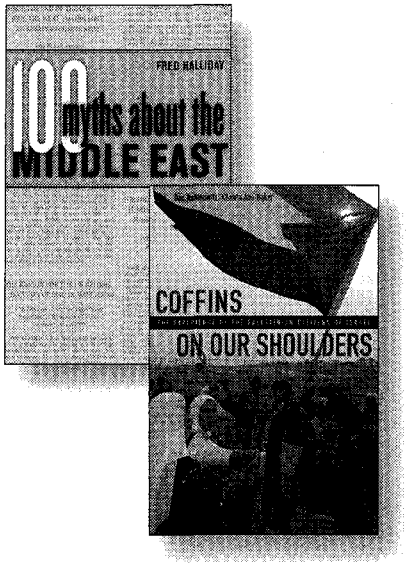
# Toward a Balanced Understanding

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wey asked the magazine's West Coast contributing editor, Carey McWilliams, to come to New York for a few weeks to edit an emergency civil liberties issue and to help her with fundraising. McWilliams—who had previously urged Kirchwey to move *The Nation* to California, away from the toxic atmosphere of the New York intelligentsia—agreed to come for a month. He stayed for more than twenty-five years.

The Los Angeles author, lawyer and progressive activist, whose celebrated 1939 book, *Factories in the Field*, was the nonfiction counterpart to *The Grapes of Wrath*, brought a tough Western grit to the ideological battlefields of Manhattan. Although several of his closest friends, including the Marxist literary scholar F.O. Matthiessen and immigrant writer Louis Adamic, were driven to suicide by McCarthyism, McWilliams was unflinching under attack: Indeed, he relished political combat, even on the most unequal terrains. In California he had long brawled with such powerful semifascist groups as the Associated Farmers and the Native Sons of the Golden West. During his term (1939–42) as director of immigration and housing for the New Deal administration of Governor Culbert Olson, the big growers had labeled him as "Agricultural Pest No. 1, worse than pear blight or the boll weevil," and Republican Earl Warren campaigned for governor in 1942 with the promise that firing McWilliams would be his first act of office (McWilliams resigned first).

In accepting Kirchwey's invitation, he warned of his notoriety: "I consider myself a radical democrat who might better be called a socialist, with both 'democrat' and 'socialist' being written without caps." Freda replied that she was also a "Socialist of sorts"—who hadn't been a decade earlier?

As Kirchwey's right hand—then after 1955 as her successor—McWilliams worked ceaselessly to replenish *The Nation*'s finances and to parry attacks from the redbaiting literati. The job was grueling: In his memoir, *The Education of Carey McWilliams* (1978), he writes, "I kept thinking that the crisis at the magazine, which reflected mounting tensions in the Cold War, would soon pass, but it got steadily worse. There was no time to think of anything else."

In any event, McWilliams both substantially reinvented the internal culture of *The Nation* and almost single-handedly revived the muckraking tradition in American journalism. Like a good military strategist, he believed that it was essential to move from defense to offense as quickly as possible, and to this end he brought in crack investigative reporters like Fred Cook, Gene Gleason, B.J. Widick and Matthew Josephson to write famous exposés of the Alger Hiss prosecution, the FBI, CIA-funded intellectuals, the military-industrial complex, consumer culture and much else.

During the 1920s McWilliams, like so many other unknown young writers in the West and South, had benefited from the editorial patronage and friendship of H.L. Mencken and his *American Mercury*; now he returned the favor, becoming the champion of such fresh talents as Ralph Nader, Dan Wakefield, Howard Zinn, Richard Cloward, Frances Piven and a broke and desperate soul named Hunter S. Thompson, to whom McWilliams fatefully pitched the idea of a report on California motorcycle gangs.

He also struggled mightily against the "no intelligent life west of the Hudson" parochialism endemic to the New York scene. In addition to consistent coverage of politics on the other coast (including the many ominous facets of California conservatism), he published riveting firsthand accounts of the Southern freedom movement and annual audits of its progress by Martin Luther King Jr., as well as Robert Sherrill's acid portraits of the leading Dixiecrats. Even that perennial orphan of New York liberals, Chicago and its vast Midwestern hinterland, found occasional mention in *The Nation* during the McWilliams years.

The California left's one-man think tank during the New Deal era, McWilliams brought to New York a singular passion for turning journalism into sociological investigation, and vice versa. He opened the magazine's doors to the hugely influential C. Wright Mills—another outlaw from west of the Pecos—and launched a series of ambitious sociological explorations of the heartlands of Eisenhower-era conformity: corporate bureaucracies, consumer culture, suburban families, the fallout shelter hysteria and, yes, college campuses. He also kept the era's greatest foreign correspondents—Alexander Werth, Edgar Snow, Basil Davidson, Isaac Deutscher, Carleton Beals and Claude Bourdet, as well as New Left historians William Appleman Williams and Gabriel Kolko—prominently on the front cover.

McWilliams, in short, not only saved *The Nation* from the hellhounds of the cold war; he also made it into a bully pulpit where radical academics, muckraking jour-

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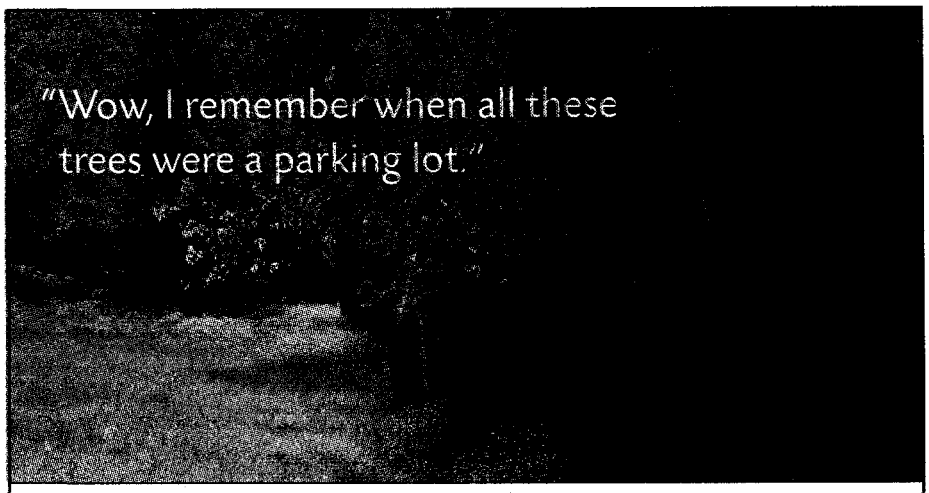
nalists, independent Marxists, trade-union rebels, freedom riders, beatniks and peace protesters found a common voice after the dark age of McCarthyism. Defying the notorious "generation gap," he self-consciously tried to make the magazine an intellectual bridge between the culture of 1930s activism and the emergent New Left of the 1960s. And, perhaps most important, he kept the attention of white progressives focused on the black freedom movement and the farmworkers' revolt in California. *The Education of Carey McWilliams*, sadly out of print, remains the indispensable history of *The Nation*'s most heroic years as well as a fascinating encyclopedia of its myriad contributors and characters.

But while New Yorkers reaped the benefits of McWilliams's move east, Californians, as Peter Richardson reminds us in his superb new biography of McWilliams, paid a significant price for losing their most brilliant radical critic and social documentarian to the salons of Manhattan. By 1949 McWilliams had written eight books and scores of articles in a single decade, including two classic studies of farm labor (*Ill Fares the Land* and the aforementioned *Factories in the Field*); the still-definitive introduction to the LA region (*Southern California Country*); a stunning, almost Braudelian interpretation of the main contours of California history (*California: The Great Exception*); the first book-length history of the Chicano experience (*North From Mexico*); and three landmark studies of racism and discrimination (*Brothers Under the Skin*; *Prejudice: Japanese-Americans, Symbol of Racial Intolerance*; and *A Mask for Privilege: Anti-Semitism in America*). *Witchhunt: The Revival of Heresy* was published on the eve of his move to New York. But thereafter his amazing literary discipline and productivity were largely diverted to editorial chores and the generous shaping of projects carried to completion by other *Nation* writers.

Richardson's book, with its balanced perspective on his early, middle and late years, comes at a crucial juncture when even hard-core McWilliams fans are in danger of losing sight of the whole man. On the East Coast he is largely a fond but fading memory to veterans of *The Nation* and its milieus, who tend to know little about his seminal California years. Conversely, although he is again a lodestone in the West, where a major McWilliams revival—thanks to the ceaseless championing of his work by historian Kevin Starr, Sacramento journalist Peter Schrag and "California Studies" instigator Jeff Lustig—has been under way since

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the early 1990s, contemporary California readers have little appreciation of his *Nation* tenure or his contributions to national progressive causes.

Biographies these days have a tendency to meander for thousands of pages and consume a generation of research; *American Prophet* is more economical and stays focused on the literary output. Richardson, who admits that he had never heard of McWilliams until 1999, and then was astonished to discover "one of the most versatile, productive, and consequential American public intellectuals of the twentieth century," aspires to be a "fit reader" of his books and articles in the specific historical contexts of their production. The result is a fascinating portrait of activism deepened and sustained by Herculean labors of research and investigation: As McWilliams confesses in his memoir, "the fact that all my books represent efforts to relieve my ignorance on subjects of compulsive interest often prompted me to wonder if I had selected the subjects or whether it was the other way around."

Indeed, causes always seemed to find a way to his door: Richardson, after poring over McWilliams's datebooks and diaries, is staggered by the sheer number of defense committees, solidarity campaigns, strike funds and fundraising events that he found time to organize or chair. When combined with a law practice, or later with public office and a daily writing stint of a thousand words or more, activism, whether on behalf of cotton strikers, Spanish Republicans or the Sleepy Lagoon defendants, left little time to play paterfamilias. In his memoir McWilliams devotes less than a paragraph to his adult family life: Marriages and children, he implies, are a private sphere, off-limits to public scrutiny. As a dutiful biographer, Richardson roots through McWilliams's closets but finds little evidence of anything more than a failed first marriage, too much time at the office and a penchant for occasional rowdy binges with writer friends (but Carey was always sober and hard at work the next morning).

McWilliams, as Richardson demonstrates, was a chip off the old (Scots-Irish) block, raised on a sprawling Colorado cattle ranch by busy parents who had little time for expressive affection but gave their sons early scope for responsibility and independence. Carey grew up with the hands and absorbed their egalitarian cowboy ethos of irreverence, hard work and self-reliance. In the unpredictable moral meteorology of Hollywood in the 1940s and Manhattan in the '50s, when one's closest friends and most deeply held beliefs could be forfeited in a day, McWilliams was Yosemite granite, with unwavering loyalty to old friends and youthful convictions.

By sheer coincidence, I read *American Prophet* in tandem with Cormac McCarthy's *No Country for Old Men*. McCarthy's new novel, compounded of equal portions of sentimental nostalgia and apocalyptic violence, is a lament for the loss of those chivalric qualities—honor, duty, discretion, courage and, alas, kindness—that once supposedly typified frontier knights like the novel's Sheriff Bell, now obsolete in a world of insolent punks and robotlike assassins. We tend to think of these public funerals for America's lost nobility of character—*Saving Private Ryan* and *The Greatest Generation* also come to mind—as ceremonies of the right, moral deceits to cover up actual histories of racism and carnage, but there may be other, alternative dimensions to this national nostalgia.

Carey McWilliams, I am sure, would have reminded McCarthy (or Steven Spielberg, for that matter) that the finest embodiments of moral courage in American history were the Abolitionists, the Wobblies, the Abraham Lincoln Brigades and the Student Nonviolent Coordinating Committee. In the storms of the mid-twentieth century, McWilliams himself was as unbending as Wendell Phillips had been in the 1850s and '60s. Indeed, as one of his sons—the historian Wilson Carey McWilliams—points out in a beautiful foreword to a recent McWilliams reader, *Fool's Paradise*, he was "a sardonic Galahad, constant to the democratic Grail." Richardson also does a wonderful job of evoking McWilliams's strength of commitment, but the last word belongs to *The Nation*'s former editor himself:

> What it comes down to is that I am the rebel-radical I have always been (for reasons I have never fully understood) and that I still take a generous view of the future and remain basically an optimist despite much evidence that I could be wrong. On balance, however, my brand of indigenous radicalism and idealism has stood the test of time as well as or better than some of the apocalyptic ideologies of the Right and Left. ■

# Requiem for a Dream

DAVID L. ULIN

**THE GOLDEN WEST: Hollywood Stories.**
By Daniel Fuchs.
Black Sparrow/David R. Godine. 256 pp. $24.95.

Among the common tropes about Hollywood is that screenwriting is a Faustian bargain, in which authors compromise their talents for the consolations of a steady wage. Certainly, there's some truth to this; from the early days of the industry, writers have spun scripts for money while lamenting the demeaning nature of the work. To Tennessee Williams, who wrote for MGM in the early 1940s, screenwriting was a ridiculous exercise that made him "feel like an obstetrician required to successfully deliver a mastodon from a beaver." William Faulkner hated Hollywood so much he once reportedly fled to Mississippi after asking permission to work on a script at home. Partly, all this is a reaction to the culture of the studios, where writers like Williams and Faulkner were at once prestigious catches and proof that talent was another commodity to buy and sell. ("I have the best writer in the world—for peanuts," Jack Warner said of Faulkner, whom he was paying $300 a week.) More to the point, screenwriters seldom have control over their efforts, caught as they are between meddling executives and image-savvy stars.

"The making of a picture," Raymond Chandler noted in 1945, "is an endless contention of tawdry egos, some of them powerful, almost all of them vociferous, and almost none of them capable of anything much more creative than credit-stealing and self-promotion." Perhaps that's why so much Hollywood literature is so cynical, from Chandler's *The Little Sister* to Nathanael West's *The Day of the*

*David L. Ulin is the author of* The Myth of Solid Ground: Earthquakes, Prediction, and the Fault Line Between Reason and Faith, *just released in paperback by Penguin. He edited* Another City: Writing From Los Angeles *(City Lights) and* Writing Los Angeles: A Literary Anthology *(Library of America).*

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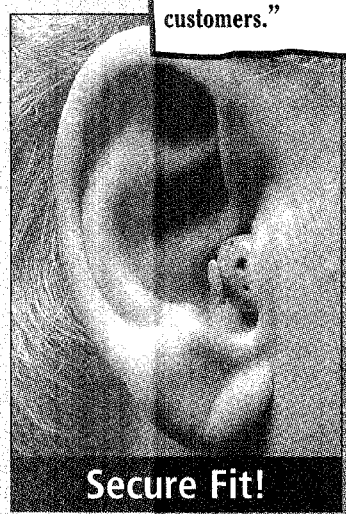

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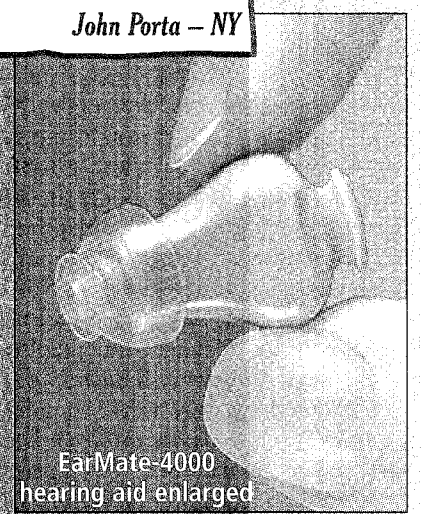

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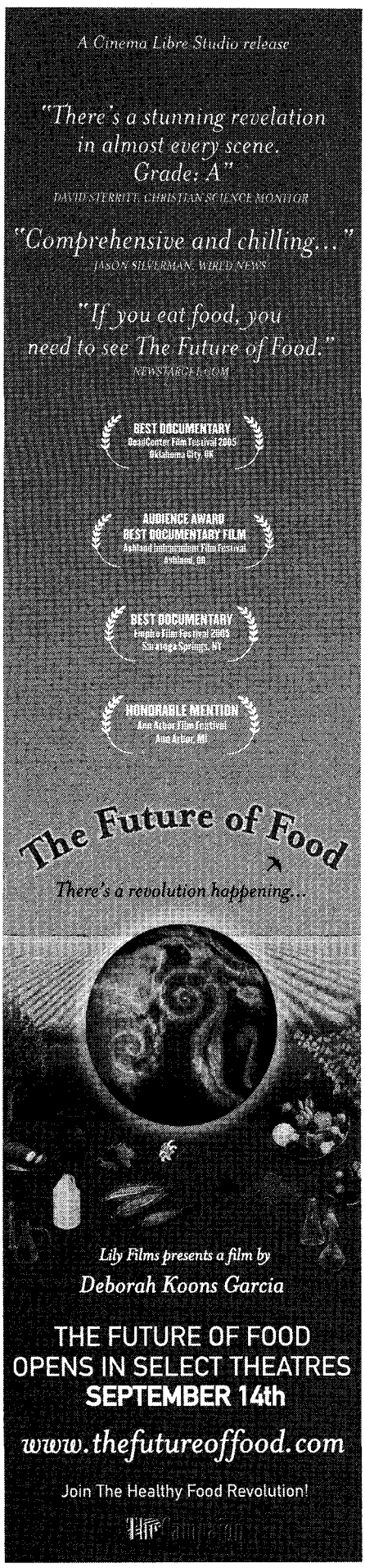


*Locust*—although privately, West occasionally took a different point of view. "I am grateful rather than angry at the nice deep mud-lined rut in which I find myself at the moment," he wrote in 1939 to Edmund Wilson. "The world outside doesn't make it possible for me to even hope to earn a living writing, while here the pay is large (it isn't as large as people think, however) enough for me to have at least three or four months off every year."

Of all the writers who ended up in Hollywood, none would have understood this better than Daniel Fuchs. Unlike West, for whom screenwriting was, at best, a way to subsidize his fiction, Fuchs not only found work in California, he embraced it, rhapsodizing over the "phenomenon" of the movies, which he saw as "teeming with vitality and ardor, as indigenous as our cars or skyscrapers or highways, and as irrefutable." In a sense, he represents an anti-West, discovering beauty and inspiration in Hollywood even as his contemporary sought out the grotesque. Born in 1909 on the Lower East Side of Manhattan, Fuchs moved to Brooklyn at age 5 and published his first novel, *Summer in Williamsburg*, in 1934. Within three years he had completed two more novels, *Homage to Blenholt* and *Low Company*, while working as a permanent substitute teacher in New York City public schools. Although these books were re-issued in the 1960s as *The Williamsburg Trilogy*, they originally sold few copies, and it was only after Fuchs began to turn out short stories for *Collier's* and *The New Yorker*—"vaudeville-virtuoso mimicries and performed entertainments," he would later call them—that he drew the attention of the studios. He came to Hollywood in 1937 and remained until his death in 1993, winning an Oscar in 1955 for his story for *Love Me or Leave Me*. Reflecting on his legacy as a writer in a 1989 essay in *Commentary*, he struck a perplexed note:

> A man sits in a room, writing novels. Nothing happens. They don't sell—four hundred copies apiece, the last one a few more. The reviews are scattered. Twenty-five, thirty years later they are resurrected and brought out again. I am rediscovered.... I don't know what to make of it. At bottom I know the books are not first class and I privately wonder at the acclaim.

Fuchs's *Commentary* essay is reprinted under the title "Strictly Movie: A Letter from Hollywood, 1989," in *The Golden West*, a new volume of his Hollywood writings, which appeared sporadically throughout his lifetime, like communiqués from a distant shore. Selected by Christopher Carduff, and with an oddly cranky introduction by John Updike—"Fuchs," he tells us haughtily, "in his modesty and optimism construed his tortuous Hollywood labors, with their dozen credited scripts, as a species of singing"—*The Golden West* gathers nine prose works, six of fiction and three of memoir, spanning half a century. It's tempting to dismiss this as a grab bag; of the pieces here, only four, totaling barely sixty pages (or less than a quarter of the book), have never been collected, while another four are reprinted from Fuchs's 1979 miscellany *The Apathetic Bookie Joint*. Yet with the exception of "Dream City, or The Drugged Lake," a brief bit of 1930s Modernism that, all these years later, comes off as flat and unoriginal, the book has an unexpected flow, a rhythm that reverberates from selection to selection like, in Fuchs's phrase, a "melodic line." It's not just a matter of the collection's uniform subject matter. Rather, *The Golden West* is also distinguished by an astonishing consistency of tone and language, a point of view that animates both the essays and the stories, making the book feel like an extended narrative. Regardless of genre, every piece is written in Fuchs's unmistakable voice, amused and gently diffident. Ultimately, then, *The Golden West* is best read as a kind of suite, the author's requiem for the Hollywood he loved.

What gives this such resonance is Fuchs's equanimity, the idea that, for him, Hollywood truly was a land of opportunity. It's a notion to which he returns frequently, proclaiming his gratitude "for the boon of work; for the joy of leisure; the happy, lazy days; for the castles and drowsy back lots; for the stalwarts I've come to know, John and Bob and Sam; for the parties at Barney's, the times at Phil's, the flowers, the sycamores, the blessings of the sun." If that seems idyllic, Fuchs offers no apologies; unlike West, he's not a writer of LA noir. Neither, though, does he cast the dream factory in anything but a realistic light. "Critics and bystanders who concern themselves with the plight of the Hollywood screenwriter," he notes, "don't know the real grief that goes with the job. The worst is the dreariness in the dead sunny afternoons when you consider the misses, the scripts you've labored on and had high hopes for and that wind up on the shelf.... It's the same when you write for publication.... Of course, the difference is that in the movies you get paid when you fail and there is that to carry you over."

Writing for the movies liberated Fuchs

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from his "one-room Brooklyn apartment, with the Murphy bed swinging out of a closet," as he described the home of one protagonist. But screenwriting also offered him an aesthetic—even a spiritual—dimension, the chance to connect with a larger audience than most writers could dream of. "In an interview in *Life* magazine," Fuchs recalls, "Joseph L. Mankiewicz said (I quote freely, from memory): 'The most electrifying thing happens in the movie house when you give the audience the truth.' I knew exactly what he meant. You could almost tell the instant the picture took hold. An excitement filled into the theater, a thralldom. The people forgot they were sitting on the seats; they forgot themselves, their bodies. They lived only in the film."

Given Fuchs's proletarian roots, it's not surprising that having the opportunity to engage with mass culture would provide such a powerful charge. At the same time, he recognizes that truth is nothing if not relative, especially when refracted through the seductive glimmer of a movie screen. "It had to be a carefully selected truth, carefully aligned and ordered," he explains. "It had to be a truth that was worthy and could legitimately engage an audience. It had to have an opulence; or an urbanity; or a gaiety; a strength and assurance; a sense of life with its illimitable reach and promise. As a matter of fact, it didn't even have to be the truth."

This sort of paradox imbues *The Golden West* with a deeper level of nuance, where Fuchs's optimism is subtly unhinged by a foreboding undertone. This delicate balance is most obvious in his fictional characters, who just barely mask their desperation with exuberance, as if playing at something might make it true. In "A Hollywood Diary," first published in *The New Yorker* in 1938, a screenwriter waits for an assignment, only to be ignored when he gets one; the piece ends with him arriving at his office to find another writer in his place. The title story unfolds at a 1950s party, where Fuchs evokes a community in crisis, threatened by television and bad business, frantically chasing a chimera that may no longer exist. A similar ambience of disintegration surrounds "Triplicate," also set at a party, at which an over-the-hill producer's boorish pronouncements become a magnet of ridicule. And yet the ridicule isn't Fuchs's—not exactly. In fact, many of the producer's comments echo his own attitudes toward California. "What people don't understand about this place," the producer declares, "is that the whole idea is not to make great pictures but to enjoy life in the sun.... People who complain that Los Angeles is sprawling and without roots and has no character are uninformed. It just means they haven't been here long enough."

For Fuchs, it's all a matter of perspective, in which our successes, failures—indeed, our perceptions—are linked directly to who we are. "How illusory is the nature of desire," he writes, "how wonderfully strange and various are the strivings of the hidden heart." Such a notion is rendered explicit in the collection's longest piece, a short novel called *West of the Rockies*, first published in 1971 and reprinted here in its entirety. Fuchs considered *West of the Rockies* "a failure," and it does feel unrealized, claustrophobic, as if something is pulsing below the surface of the narrative. Paradoxically, however, this stifling quality is the very element that compels us, making the book a fitting centerpiece for the collection. The story of Adele Hogue, an aging leading lady who has abandoned a production to hide out at a Palm Springs resort, *West of the Rockies* is an inquiry into manipulation and longing, a look at how we betray not only others but ourselves. Adele is a first-class diva, the mother of three neglected children, a woman so damaged she can hardly bring herself to go outside. She is pursued by an unscrupulous junior agent, Burt Claris, with whom she has been sleeping, a man who sees her as a vehicle to a better life. Over the course of a few days, Adele and Claris circle each other, as the hot air of the desert smothers them like a blanket, and the press sniffs out their affair. Finally, they have no choice but to come together, because she needs the publicity and he has nowhere else to turn. Still, if this means they are using each other, not only do they understand that, they embrace it about themselves. "The morning comes," she tells him. "You wake up and everything is fine. The moral is never to cut your throat."

This cynical bit of sophistry seems more in line with West or Chandler than with a writer who embraced Hollywood. Yet it embodies Fuchs's vision, albeit in a perverse way. Despite the grotesquerie of Fuchs's portrayal of Adele and Claris ("She knew from her experience on the stages that anything she said would be picked up on the soundtracks, and whether it was for this reason or because of some other mental quirk, she formed the words to him, not speaking them or even whispering, just the lips moving soundlessly: I love you, I love you, I love you"), theirs is a happy ending. While his characters are capable of excess and reckless, destructive

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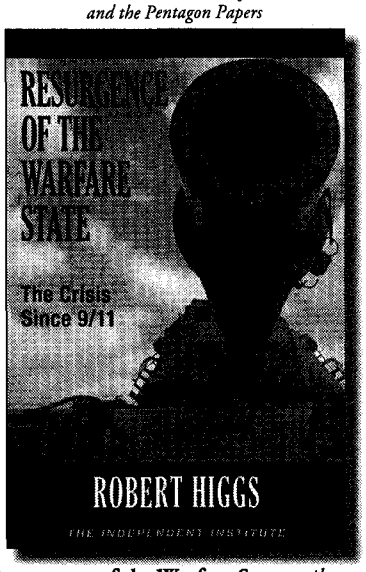


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behavior, Fuchs never treats them with anything but empathy. Rather than give us Hollywood as we've been conditioned to imagine it, he offers a landscape richer and more human, marked by "wonderful moments which as they happen go by almost unnoticed but which return again and again in our thoughts to bemuse and warm us, the stir of smoking mountain panoramas, the ache of sweet summer days, of trees in leaf, of being in love, this prize, this treasure, this phantom life." ■

# Good Vibrations

CRISTINA NEHRING

**O: The Intimate History of the Orgasm.**
By Jonathan Margolis. Grove. 401 pp. $24.

Once it was a secret; then it was a "right"; now it is a duty. So daunting a duty is orgasm that men, as Jonathan Margolis admits in his 400-page paean to sexual climax, go wild with glee when offered an electronic implant that can relieve them of the onerous duty of bringing their girlfriends to ecstasy all by themselves. Women, for their part, fake it rather than risk the traumatization of their mate. Sex in the twenty-first century is a performance sport: We are told we must "demand" orgasms; we are told we must demand *lots* of orgasms (for we are "multi-orgasmic"); we are told we must seize our *own* orgasms and offered an array of fancifully colored vibrators to stash in our bags lest any toilet break go unexploited. Men know this and they feel intimidated. Women know this and they feel inadequate. The bedroom, too often, has become a site of fear.

It's not that the sexual revelations and revolutions of the recent past have not brought considerable good. It's great that men know more about women's bodies than they did, great they no longer imagine, like the cad in Milan Kundera's 1972 novel *The Joke*, that any sexual exchange short of intercourse is emasculating. What's bad is that now we have books like Margolis's *O: The Intimate History of the Orgasm*, which insistently and insipidly fetishize orgasms—adding, thereby, not just to our fears in the erotic realm but also, paradoxically, to our boredoms. What may be worse is that such books are in sync with the zeitgeist.

To call Margolis's volume a "history" is a stretch, since he can't get basic dates straight. Shakespeare's early modern verse, for example, is discussed in a chapter on the Middle Ages. The book is better viewed as an amorphous compendium of sexual trivia, a cluttered attic of erotic curiosity. The only organizing principle in evidence is Margolis's impassioned desire to persuade us all to orgasm more "swiftly, reliably," promiscuously, frequently, independently and, above all, with less emotional and moral hocus-pocus. To this end, he tells us of Mangaia, an island in the South Pacific where everybody sleeps joyfully with everybody else and boys "are taught always to bring their partner to orgasm several times before allowing themselves to ejaculate.... The female's final orgasm should coincide precisely with the man's. The typical 18-year-old Mangaian couple," according to a 1971 study, "make love three times a night, every night."

Margolis lauds the "unusually healthy acceptance of masturbation" in Indonesia, where "parents of young children reported happily watching...their children masturbate to orgasm" and approvingly quotes a "respected academic anthropologist" who laments that most "high school students [are] induced to enjoy Elizabethan drama but in virtually no school system offered helpful hints on enjoying physical pleasure by themselves." Masturbation, it would appear, is Margolis's cause célèbre. He assesses the liberation of a society by the warmth of its celebration of masturbation.

Margolis's book provides endless opportunities to observe the limits of social science. The study that showed Mangaian women as sexually delighted was followed by studies that showed them as severely battered, for example. Margolis mentions these studies, but they in no way move him to question the initial study or to qualify his judgment of Mangaia as "a South Pacific paradise." "How do I know that [my

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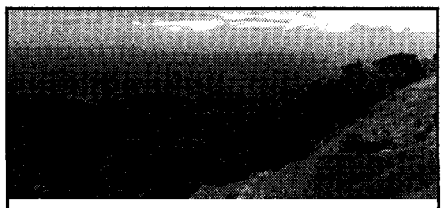
husband] loves me if he doesn't beat me?" a typical Mangaian research subject asked when quizzed about her wounds. Suffice it to say that it is hard to imagine a man about to beat his wife to a pulp bothering to selflessly provide her with "several orgasms" beforehand. It is equally hard to believe the first study could have obtained *any* of its precise figures credibly: exactly three simultaneous climaxes a night, *every* night, *always*? Know the Mangaians no variety, no fatigue? Or were they simply misleading the scientists as surely as the Sudanese women who told their interlocutors they had earth-shaking climaxes after their clitorises had been cut out: "This was verified," writes the anthropologist in charge, "by their happy and highly animated demeanor as they described it." If this is science, don't give us literature.

Alas, Margolis does, and a mighty mess he makes of it. It is hard to imagine anybody reading Aldous Huxley's dystopian novel *Brave New World* and taking the anonymous copulation and orgasm-inducing machine in its pages for a beautiful ideal rather than bitter satire, but Margolis manages. In fact, he gamely remarks, some of Huxley's vision had already been "aspired to and achieved" in the 1960s! Only the machine itself, the "Orgasmatron" made famous by Woody Allen in *Sleeper*, remains frustratingly unavailable. What Margolis does for Huxley he does for the King James Bible. Champion of the clitoris that he is, he finds instructions for its use all over the Old Testament. When the female speaker in the Song of Solomon says, "Let his left hand be under my head and his right hand embrace me," Margolis can reach no other conclusion than that the Song, in this line, "certainly advises a man as clearly as possible to stimulate manually his lover's clitoris." As clearly as possible, indeed: With directions like that, no wonder it took men a few more millennia to catch the drift.

Margolis relishes the Old Testament for lines like this one but condemns the New Testament for its "blithe lack of concern" with the sexual quandaries by which he is so exercised. What was Jesus thinking? He should have written a treatise on masturbation instead of founding a religion. Columbus is taxed with the same failure. Having quoted with admiration from the *Ananga Ranga*, an Eastern sex manual written in the 1100s, Margolis sourly notes: "That Christopher Columbus was engaged in the rather more macho business of exploring the globe as the *Ananga Ranga* was being written provides a fitting illustration of the apparent austerity that was the norm under the Christian sphere of influence in the Middle Ages." Quite aside from the spectacular conflation of dates here—Columbus did *not* live in the Middle Ages, and the *Ananga Ranga* was done well over 300 years before he began his work—it's a preposterous point: Columbus, apparently, shouldn't have bothered with the discovery of America; his time would have been better spent exploring his privates.

Like many sexologists, Margolis is harsh on Christianity: Its restriction of sexual freedoms leaves him extraordinarily bitter, often understandably. On the other hand, he gets a huge amount wrong about medieval and Renaissance Christianity. "Thinking of sexual and religious rapture in the same breath is, of course, anathema" to Christians throughout history, he states with trademark self-assurance. If American hippies tried to conflate the two, it is "obviously," he continues, for *just* this reason. But Christianity did not need hippies to mingle religious and erotic rapture; its own greatest and most persuasive voices have done so since the, um, Middle Ages. Medieval religious lyrics routinely refer to Jesus as the speaker's "lemman," or "lover." In the Renaissance era and the seventeenth century, deeply Christian poets—from the parish priest George Herbert and Richard Crashaw to the Dean of Saint Paul's, John Donne—wrote verses to God that ring with erotic passion: One of the most gorgeous sonnets in English, "Batter My Heart, Three-Personed God," concludes with Donne essentially inviting his God to rape him: "For I," he declares, "Except you enthrall me, never shall be free/Nor even chaste, except you ravish me." Earlier in his life, the dean had written to his mistress in similar ecclesiastic-erotic language, "canonizing" her in his poetry and elevating her to the status of a saint—the very thing, indeed, Romeo calls Juliet in Shakespeare.

Early modern Christianity was all about mingling the passions, far more so, it is true, than present-day Christianity—and far more so, in particular, than Margolis. For it is he who wishes to keep sex and spirit surgically separate, he who views spirit as a pox upon sex, and vice versa. It is he who mocks "woolly" thinkers who would see carnal love as an occasion for mystical union; he who scorns Simone de Beauvoir as "pretentious" for suggesting a woman can feel "borne by waves, swept away in a storm" in the embrace of her lover, that "her ego is abolished" and "she becomes one with" something larger than herself. For Margolis, sex is a simple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little convulsion, akin, as he so charmingly puts it, to a "sneeze," a "hiccup," an "urgently needed bowel movement" or "common-or-garden urination from an overfull bladder." And herein lies the gravest problem with Margolis's erotic agenda: In wanting to keep sex unencumbered by emotion, morality or mysticism so that we can have as much of it as easily as possible, he altogether depletes it. He makes it dull and small—at best an agreeable snack for the sensations and at worst a forgettable hiccup, but never a sublime experience.

And that is tragic. For sex is a powerful force; if harnessed rather than simply sprinkled hither and thither, it can take us places. It can burst through barriers that would otherwise remain unbroken, accomplish in one explosive clap what decades of whittling away at someone else's or our own defenses could not. It can throw us into the core of a Strange Other or into the still center of our own souls. At its best it is two things Margolis disdains: mystical and transgressive. That is why it has so often been shot through with spirituality—by twentieth-century hippies, seventeenth-century poets and contemporary Tantric theorists alike. That is why it has so often been curbed: But to curb, in many such cases, is to strengthen. Much as nudist beaches are not erotic, people sitting around openly masturbating, as Margolis envisions, are not erotic. It is secret love that is the strongest. It is forbidden fruit that is the sweetest. In that sense maybe we can thank Christianity for making sex harder; in so doing it has made it more intense. Women comfortably comparing vibrators over lunch are not for that reason in possession of the most beautiful erotic experiences. Portnoy masturbating around the clock is not the happiest guy on earth—though Margolis's arguments would make us think so.

We have demystified orgasm enough over the decades; perhaps it is time, now, to remystify it. Margolis rightly blames the church for having attempted to make sex a mere tool for procreation: God, he says, gave us a race car; why use it as a tractor? No, God has given us a chariot to the sun, and Margolis, alas, is using it as a Honda Civic. Always reliable, generally available, but just not a lot of magic. Sex is many things to many people and that is as it should be, but the last thing we want is orgasms on tap; an erotic culture of infinite availability and amiable innocuousness is an erotic culture that is bland. There will always be those for whom sex is a snack or a sneeze, but let us leave room for sex as communion, sex as spirit made flesh, sex as a brush with the feathered glory of Leda's swan, a brush with the divine. ■

ART

# The American Sublime

ARTHUR C. DANTO

One of the most famous works of art in America, Robert Smithson's *Spiral Jetty* transcends the "earth art" genre to which critics have consigned it, and has become an emblem of the American sublime. It is made of black basalt boulders, bulldozed into a straight line that stretches, jetty-like, 1,500 feet from the eastern shore in the upper reaches of the Great Salt Lake, terminating in a spiral with three whorls. From the air it has the look of a bishop's crosier with an unusually ornamental crook. It has a way of disappearing and reappearing, which somehow gives it a touch of magic. Soon after it was made, it was submerged beneath the saline water that gives the lake its name, and on re-emerging at a later time, when the water-level fell, it was covered with a dense patina of salt crystals. It is reached with difficulty, requiring a trek over rutted roads, and there is no guarantee that it will be visible when one gets there; I failed to see it on the two occasions I made the attempt. So the work is as elusive as it is compelling, and though it belongs to its moment in history, it also has the timeless air of some ancient monument left behind by a vanished civilization.

Smithson's intentions remain difficult to discern. He appears to have been interested in Great Salt Lake at first because he'd been told that the water was the color of tomato soup. "That was enough of a reason to go out there and have a look," he writes. Recalling his first visit, he wrote as if the site itself implied the work:

> As I looked at the site, it reverberated out to the horizons only to suggest an immobile cyclone while flickering light made the entire landscape appear to quake. A dormant earthquake spread into the fluttering stillness, into a spinning sensation without movement. The site was a rotary that enclosed itself in an immense roundness. From that gyrating space emerged the possibility of the *Spiral Jetty*. No ideas, no concepts, no systems, no structures, no abstractions could hold themselves together in the actuality of that evidence.

Reading these lines, one has the impression that Smithson is resorting to a kind of logical stammering—"immobile cyclone," "dormant earthquake," "fluttering stillness"—to convey a reality that transcends the limits of rational thought. And the work he made from this site has a similar effect on critics, whom it ultimately leaves speechless, as befits the sublime. *Spiral Jetty* fits Kant's notion of meaningfulness without any specific meaning. Its closest artistic kin in North America is the great Serpent Mound outside Cincinnati, about which nothing is really understood.

Still, like everything else he did, *Spiral Jetty* had a polemical subtext. Smithson writes:

> Logical purity suddenly finds itself in a bog, and welcomes the unexpected event.... In the *Spiral Jetty* the surd takes over and leads one into a world that cannot be expressed by number or rationality. Ambiguities are admitted rather than rejected, contradictions are increased rather than decreased—the alogos undermines the logos. Purity is put in jeopardy.

In 1970, when Smithson made *Spiral Jetty*, these were fighting words. For purity had been a defining criterion for New York artists and art critics in the orbit of Clement Greenberg. In his 1960 paper "Modernist Painting," Greenberg argued that aesthetic purity required the elimination from any art of whatever does not belong to the medium that defines it. Painting, for example, had to become flat and abandon figuration, which suggested a relationship to the three-dimensional reality beyond it, while sculpture had to reject any painterly qualities. "Thus would each art be rendered 'pure,' and in its 'purity' find the guarantee of its standard of quality." But purity seemed entirely beside the point of *Spiral Jetty*. Hence the wry joke contained in Mark Tansey's 1982 painting *Purity Test*. Painted in his characteristically uninflected illustrational style, Tansey's work shows a group of four American Indians depicted in the late-nineteenth-century style of Frederick Remington, mounted on horses, gazing downward from a rise in the land onto *Spiral Jetty* extending into the lake below them.

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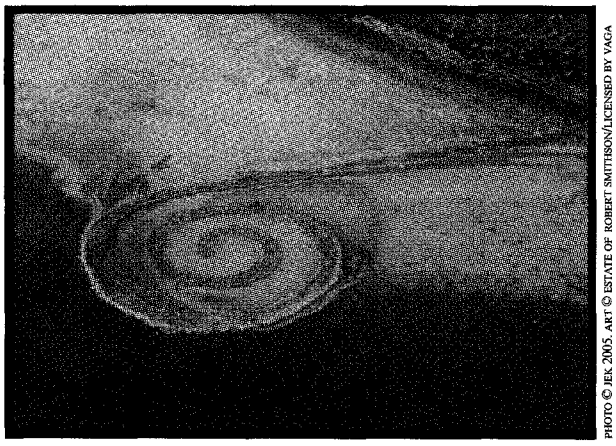
Comically impossible though such an encounter is, it raises an interesting question: Presumably innocent of the history of art, and certainly of the art history of the future, what would Remington's Indians have made of Smithson's work? Would they have regarded it as a celebration of, as it were, the rockiness of rocks—would *Spiral Jetty* have passed their purity test, if they had one? From their look of awe, it would seem that the work is fraught with meaning of a deeper kind, as it is for us, and as it was for Smithson himself. Whatever he may have set out to make, *Spiral Jetty* rose above its critical context. The truth is, we probably know as little about how to interpret it as Tansey's Utes would have.

Though he studied painting at the Art Students League, Smithson found his calling as a sculptor in the 1960s, when that medium was undergoing an immense transformation. He was included in the exhibition "Primary Structures," which took place in April 1966 at the Jewish Museum on upper Fifth Avenue. Curated by Kynaston McShine, the show gave the larger art world its first real glimpse of what was happening in sculpture as it began to replace painting as the defining medium of artistic experiment.

The paradigmatic "primary structure"—the term was controversial at the time—was drab, monolithic, industrial, repetitive, empty and monumental. Smithson showed a set of six "cryomorphic" hexagons, arrayed in a single row, based on the geometry of ice crystals. That year he published a stunning essay in *Artforum*, "Entropy and the New Monuments," which connected the Second Law of Thermodynamics with "primary structures," explaining the latter's Minimalist aesthetics in terms of civilization running down.

An autodidact, widely read in science fiction, amateur geology and crystallography, Smithson was a singularly original thinker who brought to bear in his art and writing as many of his intellectual pursuits as he could. His master concept was entropy—a statistical measure of energy disorder or randomness—which gripped him much as the concept of blind will gripped Arthur Schopenhauer, as the ultimate reality against which form and order crumple and collapse. He connected the coolness of contemporary sculpture with the inevitable cooling down of physical systems. Thus, he suggested, the most important new works in American sculpture "bring to mind the Ice Age rather than the Golden Age"—an allusion that suddenly vests his abstract ice crystals with a certain prophetic meaning. The new sculptors, in Smithson's view, "provided a visible analog for the Second Law of Thermodynamics, which extrapolates the range of entropy by telling us energy is more easily lost than obtained, and that in the ultimate future the whole universe will burn out and be transformed into an all-encompassing sameness." The "cold glass boxes" of contemporary architecture have "helped to foster the entropic mood...free from the general claims of 'purity and idealism.'" We are left with "the flat surface, the banal, the empty, the cool, bland after blank; in other words, that infinitesimal condition known as entropy." One is reminded here of Warhol's aesthetics of boredom, as exemplified in his marathon films in which nothing happens.



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***Spiral Jetty*, 1970**

It is difficult to imagine any art magazine—any magazine at all today—printing an essay like this, or like Smithson's marvelous "A Tour of the Monuments of Passaic, New Jersey," which appeared in *Artforum* the following year. In the essay he explores, like a travel writer, the monumental ruins of Passaic—six large pipes out of which water gushed like "liquid smoke," parking lots, rusting machinery and "the houses mirror[ing] themselves into colorlessness." And he asks with delicious irony, "Has Passaic replaced Rome as the Eternal City?" Passaic is eternal in the sense that it is Everywhereville. All cities are on the downward entropic path of the center city parking lot. "Primary Structures," in his view, captured the direction of contemporary life to perfection.

Smithson's conception of contemporary sculpture was striking, but it's not clear the sculptors in question would have recognized their work in it. Many of these artists—Carl André, Donald Judd, Robert Morris, Dan Flavin—went on to become Minimalists, and their philosophy of art was far closer to Greenberg's than to his. Their work often stressed purity of form and belonged to the museum, an institution about which Smithson had the deepest reservations. "Visiting a museum is a matter of going from void to void," he wrote in 1967. "Hallways lead the viewer to things once called 'pictures' and 'statues.'... Painting, sculpture, and architecture are finished, but the art habit continues. Art settles into a stupendous inertia."

How to break this inertia? In a dialogue held later that year with Allan Kaprow titled "What Is a Museum?" Kaprow suggested an answer to Smithson: "You mentioned building your own monument, up in Alaska, perhaps, or Canada. The more remote it would be, the more inaccessible, perhaps the more satisfactory. Is that true?" Smithson replied: "I think ultimately it would be disappointing for everybody, including myself." Still, there can be little question, judging from the ecstatic language of his writing about *Spiral Jetty*, that in Great Salt Lake he found something more primordial than primary structures, something more rawly connected to the energies of nature.

The museum world of 2005, alas, is no better prepared than it would have been in the 1970s to find an exhibitional format commensurate with Smithson's stature and adequate to his achievement, although he is recognized as one of the most important artists of his time. After all, Smithson's mature work was never intended to be shown in a museum, and indeed much of it is impossible to be shown there except in the form of documentation. What is described as the "first comprehensive American retrospective of Robert Smithson's complex and highly influential body of work," on view at the Whitney Museum of American Art until October 23, is inevitably a fairly entropic aggregation of sculptures in the "primary structures" mode; of juvenilia; of projects sketched out on graph paper, with cryptic notations like pirate maps; of documentary photographs and films of what I will designate his "unmuseumable" works; and examples of what Smithson called "non-sites"—sculptures that sought to overcome the distinction between indoors and outdoors, by bringing what Smithson calls the "focal point" of a site indoors. This meant bringing indoors a group of stones, or some seashells, or even what looks like gravel, and regimenting it by means of shaped contain-

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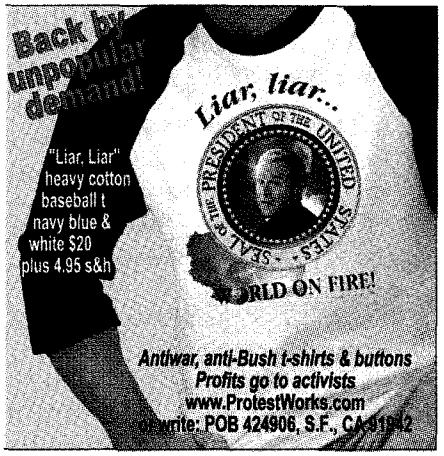
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ers in various configurations. Often the containers make use of mirrors, so that we see the shells or whatever reflected, giving the viewer some sense of the site from which they have been abstracted. Sometimes the non-site has the look of a gravel pile regularly punctuated with mirrors.

The film Smithson made of *Spiral Jetty*, projected in one of the galleries, is well worth watching. A critic once wrote that *Spiral Jetty* was the film, as if the truckloads of boulders were pushed into Great Salt Lake for the sake of being filmed. But films are easy to see. It is, I think, built into Smithson's concept that his monument should be difficult to access—that it would require something of an ordeal to reach Rozel Point and look out over the salt-clad boulders, like the Indians in Mark Tansey's painting.

The show's catalogue makes few concessions to readers unfamiliar with the extensive art-historical literature devoted to the artist. The papers are by members of the A-list of Smithson specialists, writing chiefly if not exclusively for one another. I have no objections to such publications, which are contributions to scholarship of a kind the museum has a duty to support. But they leave the ordinary visitor high and dry. Visitors wander among the non-sites, peer at the drawings, point out doodled spirals to one another, puzzle over the maps, sit on benches in darkened galleries to see the films and wonder what anything has to do with anything else. In my view, *Spiral Jetty* was the breakthrough work in the epic that was Smithson's journey as an artist. That is why his writing about it is so ecstatic. Everything before it was a kind of search.

The Whitney show succeeds, I think, in projecting a portrait of the artist as a restless demiurge whose basic genre was the monument, though none of his monuments can fit the space at the disposal of curators. The museum ought to be saluted for celebrating a figure who sought to invalidate the premises on which the idea of that institution rests. I would add that Smithson has become the *beau idéal* of young artists, more than Picasso, more than Duchamp the kind of figure they aspire to be—anti-institutional, in touch with the environment, hospitable to myth and ritual, alive to the poetry of the wilderness, ambitious in his desire to touch the public through a vision of monumentality that throws the world of the shopping mall and the parking lot into a moral perspective. In that respect the show tells us something about where we are. *Spiral Jetty* is a critique of modern life as entropy. The rest belongs to the scholars. ■

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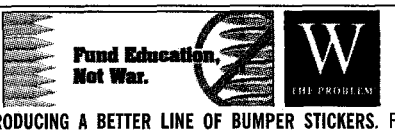


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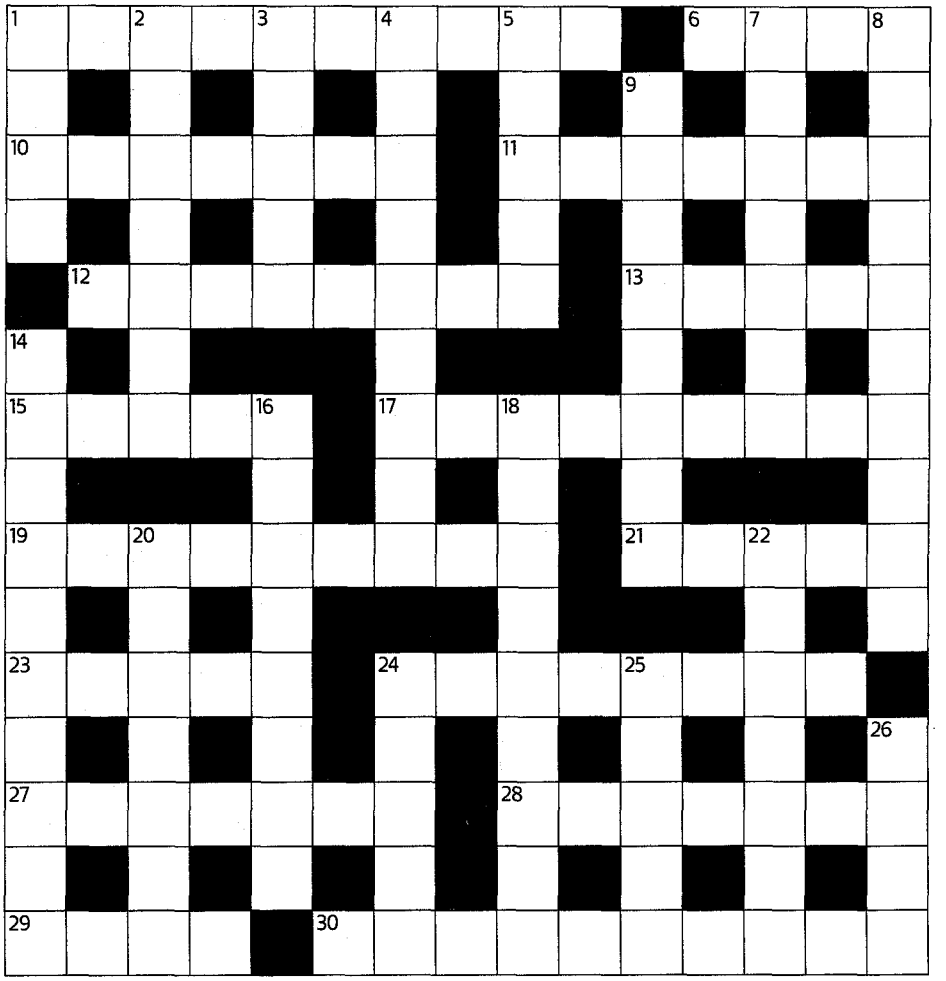
# PUZZLE NO. 3001

FRANK W. LEWIS



## ACROSS

**1** What cheeses do for the Farmer in the Dell. (It makes you think they provide Mr. Gore a drink!) (5,5)

**6** Did he consider himself a "oner" as an Emperor? (4)

**10** You'll find Woden's Day here amid wee kiddies carrying on. (3-4)

**11** You might get this from your computer, if our date is arranged this way. (4-3)

**12** Is it like a heavyweight, to possibly his surprise? (8)

**13** Apart from this, you might get the wrong ideas! (5)

**15** Charley had one of these from Brazil, "where the nuts come from!"—even if a nut's cracked. (5)

**17** A monster with a lot of heads goes to gain (incorrectly so) something rather pretty! (9)

**19** Wrecked cars put a rather bad stain on a church official. (9)

**21** Look! The man has a good deal of the slave in him! (5)

**23** and **24** In the pot for some time! (Goobers scrutinize badly on the hilltop!) (5,8)

**27** A small apartment, in possibly dear environment, is just what you need to make some appliances work! (7)

**28** Stumble on an oil producer, where the Marines once landed. (7)

**29** and **8** down The sailor who ended up a land-lubber—a symbol of humble perfection! (4,2,3,5)

**30** It's supposed to be a friendly greeting, but some people wipe their feet on it! (7,3)

## DOWN

**1** and **4** How certain people regard 23 and 24 across? (Marilyn, Jack and Tony, take a bow!) (4,4,2,3)

**2** The writer took little notice of the late princess and her child! (7)

**3** Owing this, it takes two people to end up with nothing! (3,2)

**4** See 1

**5** The direction exemplified by Ollie is often spoken of as being true—but he certainly wasn't! (5)

**7** What's the point to having a stride like a horse—even if running away? (7)

**8** See 29 across

**9** Jimmie Durante could say goodbye to the Mrs. with it, and shortly state a way to make you feel embarrassed by a simple gourd. (8)

**14** A warlike god gets up to sail all over the place, just like some kangaroos! (10)

**16** It's wrong to rent things out to one that could stab you! (8)

**18** Study how to get rid improperly of that shaky feeling, when marked by a branching figure on some stones. (9)

**20** What the British call tea has something that tastes bitter, according to the artist. (7)

**22** The French guy who gets married has a bit of leeway with it. (3-4)

**24** A super-product of what some racers hope to win. (5)

**25** I would be me coming up in Paris—but that's only a figure of speech. (5)

**26** A bit of fog that one hears could be lost sight of. (4)

## SOLUTION TO PUZZLE NO. 3000

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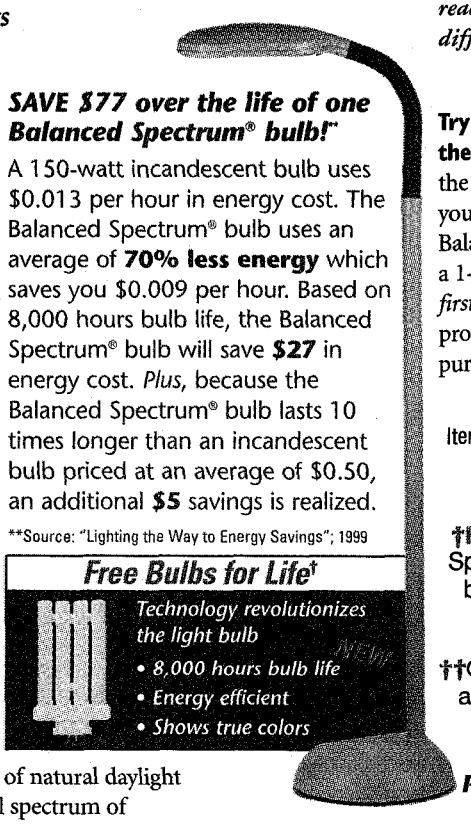


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